

PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

PROCEEDINGS

OF THE

Massachusetts Historical Society.

1860-1862.



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PREFATORY NOTE.

THIS volume contains the Proceedings of the MASSACHUSETTS HISTORICAL SOCIETY, — with the exception of such as relate to its private business, — from the Annual Meeting in April, 1860, to the Annual Meeting in April, 1862.

For the Portraits which accompany the Memoirs of Hon. NATHAN APPLETON, and NATHANIEL INGERSOLL BOWDITCH, Esq., the Society is indebted to the respective families of those valued members.

CHANDLER ROBBINS,	} Committee of Publication.
GEORGE LIVERMORE,	
HENRY AUSTIN WHITNEY,	

Boston, March 31, 1862.

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*Names of the Honorary and Corresponding Members who have died since
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PROCEEDINGS

OF THE

MASSACHUSETTS HISTORICAL SOCIETY.

ANNUAL MEETING, APRIL 12, 1860.

THE SOCIETY held their annual meeting this day, Thursday, April 12, at noon; JARED SPARKS, LL.D., one of the Vice-Presidents, in the chair.

The Librarian announced donations from the American Academy of Arts and Sciences; the City of Boston; Bowdoin College; Connecticut Historical Society; New-York Historical Society; J. L. Baker, Esq.; Rev. C. D. Bradlee; William F. Goodwin, Esq.; Dr. S. G. Howe; Hon. William C. Rives; Benjamin S. Shaw, M.D.; Rev. E. M. Stone; Rev. E. M. P. Wells; Sylvester D. Willard, M.D.; and from Messrs. Deane, Green, Holmes, Minot, Quint, Robbins, Savage, Sibley, Washburn, Webb, and Worcester, of the Society.

The Corresponding Secretary communicated letters from the Chicago Historical Society and the Historical Society of New Mexico.

The Cabinet-keeper presented a mourning-ring from Henry Guild, Esq., given at the death of Madam Belcher, bearing an inscription as follows, — "Ob't. Oct. 6,

1736, Æ. 51;" for which donation to its museum, the thanks of the Society were voted to Mr. Guild.

Mr. WASHBURN, on behalf of Dr. Lowell, presented a large package of manuscripts; for which the Corresponding Secretary was directed to communicate to the donor the Society's thanks.

Among the original papers in this valuable collection are the following letters:—

J[ohn] Hurd to Joshua Brackett.

HAVERHILL, 6th May, 1775.

DEAR SIR,—Since I wrote you a few lines per Mr. Wesson, our accounts from below have become more serious and interesting. We are now involved in the calamities of civil war to some purpose. The news of the engagement at Concord between the regulars and our militia soon reached us in this distant quarter of the Province, but was told so very differently, that we knew not what to depend upon, till the prints came up to us, which we have seen as late as the 27th April; and, while our blood chills at the relation of the barbarity of the English troops to their own countrymen, we burn to be among them, to assist, and, if possible, to revenge the innocent blood. But with pleasure we hear there's no want of hands or help. I congratulate with you on the success of the New-England forces hitherto, and think the general has no great cause to boast of his generalship. But we are full of anxiety for our friends in and about Boston, as we are told the town is invested by twenty or thirty thousand men, no provisions suffered to go in, and a doubt if General Gage will permit the inhabitants to go out with their effects; though 'tis reported he has at last consented, but not to carry any arms or ammunition. What will become of our numerous friends there, in this general confusion, I know not; and grieve for their misfortunes and trouble.

The bearer, Mr. Russell, has engaged in a journey down country, by my desire, to get the best information he can, and bring us the latest intelligence; and I have furnished a horse for the purpose, being under the greatest concern for our particular relations and friends: and I am very anxious to know what is passing at Ports-

mouth among my friends there. I beg you would write me by his return. He will acquaint you what the people have done here; for we are not without apprehensions, however you below may think us secure and safe from present danger, that the Canadians may be turned upon us, with the help of some Indians, should General Gage require their assistance. We had a report here, a few days ago, that our *good little* Governor and lady had determined upon going to England, and were actually embarked; but, the people refusing to let them carry off their effects, he changed his resolutions, and said he would tarry in the country, if the people would stand by and protect him. This I can hardly credit, for many reasons; but wish there may be some truth in it. Pray, let me know; and your sentiments, how the people are disposed since the rupture between the regulars and Massachusetts men.

Is our General Court like to meet this month? I suppose, not. Can we expect the Superior Courts to set in the new counties? I think, not; nor any courts at all after this, till civil broils are ceased. I can't but think, should the Colonies continue united, the New-England forces will get the mastery of the regulars; and that must certainly bring on a civil war in England, as soon as the advices reach them.

God send it may prove eventually happy for America! but every serious thinking man must dread the fatal consequences.

I have run my letter beyond my bounds; and am in haste too, — the bearer waiting. I hope Mrs. Brackett is well in health, and keeps up her courage in these perilous times. I wish my little cottage would serve for a safe retreat to her and several other good friends; but 'tis impracticable at present. My best regards, with Mrs. Hurd's, attend you and her, Mrs. Whipple, and all friends that may inquire after us. God preserve you all through every danger, and to see better times!

Believe me very truly, dear sir, your affectionate friend and humble servant,

J. HURD.

William Whipple to Joshua Brackett.

APRIL 11, 1776.

MY DEAR SIR, — I received your favor of the 26th ult. You put a hard question; viz., whether I am *thoroughly* acquainted with the members and important business of Congress. I can

only answer, that I have made myself as well acquainted as the time and my small capacity admit of. You'll see, by the late resolves of Congress, how we go on, and that we are every day drawing nearer the important question. You see, trade is open to all foreign countries, except *Great Britain and its dependencies*. One step more, and the point is settled. I congratulate you on the success of our small fleet. I have but an imperfect account of the matter; but no doubt you have the particulars ere now, as they arrived at New London. One of our cruisers (after an hour's engagement) took a tender mounting six carriage-guns, and thirty-five picked men, commanded by the first lieutenant of the "Liverpool." Some men were killed and wounded on both sides. We have several small cruisers out, and going out, which I hope will give a good account of the petty pirates that infest the coast. The men-of-war at New York are not suffered to land on any pretence whatever: so they will be obliged to go as far as Virginia for water. A forty-gun ship, laying at the Capes of Delaware, is in the same situation. One of her lieutenants is a prisoner, and now on his way to this city. I hope the late act of the British Parliament will reconcile everybody to an eternal separation from a people abandoned to every vice, and whose rulers make cruelty and injustice the guide of all their actions. Lord Mansfield's speech points out what we are to expect from such barbarians. For my part, I see no alternative but freedom or slavery. Providence has kindly offered us our choice; and shall we hesitate which to accept? I hope, not. God forbid that an American should be animated with so base a soul as not to embrace the former with eagerness! The people of South Carolina look on the late act of Parliament as a declaration of war, and have seized a ship put in there to refit, bound from the West Indies to London. This was done before they knew of the resolves of Congress respecting that matter. Pray, write often, and let me know every thing that passes. How go on your town-meetings, committees, &c.? Tell Mrs. Brackett she must write to me. I have wrote you a letter of some length; but my present hurry won't permit me to look over it.

Your very affectionate friend, &c.,

WM. WHIFFLE.

My duty to mother. Let me know how she does.

William Whipple to Joshua Brackett.

PHILADELPHIA, 23d July, 1776.

MY DEAR SIR, — I received your favor of the 9th instant ; and shall forward the papers you desire, so soon as I can obtain them. A resolution for confiscating West-India property has been some time prepared ; but Congress has been so extremely engaged, they have not yet passed it.

What is Mr. King's reason for not accepting his appointment ? Is it that he is doubtful ? If that is the case, I think it a pity he should ever be noticed hereafter. It is high time that every one declared on one side or the other. He that is unwilling to take an active part with us ought to be looked upon as an enemy, and treated accordingly.

I congratulate you on the success of our arms at Carolina and Virginia ; for the particulars of which, must refer you to the newspapers which I enclose to Mr. Langdon. Lord Dunmore has now no place to lay his head, but is continually ferreted about Chesapeake Bay. It is probable, Lord Howe has sent some assistance to the pirates at South Carolina ; but they will be too late to do us any mischief *in that quarter*.

Our army on the Lakes are still in a very unhappy situation. I think there should be some scouting-parties on our frontiers. I very much wonder that was not ordered before the Court adjourned ; though I don't think that there is so much danger as to oblige the people to quit their farms : yet there ought to be a guard. The army at New York are, I believe, well prepared for the enemy. Lord Howe will meet a very warm reception if he thinks proper to make an attack. He has sent two flags ashore at York, with letters directed to George Washington, Esq. : but the general refused to receive them, they not being properly addressed ; which conduct is highly approved by Congress. However, his lordship sent a number of letters ashore at New Jersey. The circular-letters to the Governor you'll see a specimen of in the paper above referred to. He also wrote a friendly letter to Dr. Franklin ; to which the good old doctor has made a very suitable reply. Matters go on much better since we have got rid of that phantom reconciliation ; but we have still much to do. I hope due circumspection will be observed in each of the United States ; and that every one who has a hand in this *glorious* Revolution will consider, that the happiness of future generations, as well as the present, depends on their doings. It is our own fault if future generations do not call us blessed. Adieu !

Yours affectionately, WM. WHIPPLE.

William Whipple to Joshua Brackett.

PHILADELPHIA, 29th July, 1776.

MY DEAR SIR, — It gives me pleasure to find that any part of my conduct meets your approbation. While I act in a public character, I shall ever consider myself so far a servant of the public as to obey whatever instructions I may receive from my constituents, provided they do not militate with the dictates of my own conscience. If they should, it would then be my duty to resign. Our General Court, no doubt, makes some wild steerage; and, considering all circumstances, it is not to be wondered at. However, if the virtuous few will exercise patience and perseverance, I make no doubt we shall have matters settled on the true principles of liberty. Perhaps it may take some time to do this great work. I call it a great work; for, in my opinion, it is more difficult to reduce a society of men, who have drunk deep of waters of corruption, to the true principles of virtue, than to bring a society from the state of nature to the same meridian. Prudence and moderation, with a proper spirit, seasonably applied, will do great things; and, notwithstanding all the difficulties that now appear, I hope to see New Hampshire, in a few years, one of the happiest branches of the Great Republic. But this business can't be completed without some exertions; and it is the duty of every one to exert himself on this occasion. Every private consideration ought to give place to the public good. It would certainly give me more pleasure to hear that my great-grandfather had been instrumental in establishing a form of government that would entail happiness on future generations, than to hear he had left a great estate. But as I know you are nearly of my opinion on these matters, and as I have not time to enlarge, must bid you adieu.

W. WHIPPLE.

I intend to set out about the 10th of next month. Must refer you to the papers for news.

John Hurd to Joseph Whipple.

HAVERHILL, Nov. 19, 1776.

DEAR SIR, — Your favor of Sept. 8 I received when below at Exeter, and duly noticed the contents. Your observations respecting the ranging companies, and the manner of employing them on the roads, I entirely agree with; and, had it been in my power, should readily have assisted as you proposed: but, soon after the receipt of

your letter, I was informed that Captain Eames's Company had taken their discharge, the time of their enlistment being expired. We have had the consent of the Committee of Safety to employ the men this way on the public roads, and have kept them at work as well as we could, in such places as most needed it, by bridging and cross-laying; but, after all, shall leave much undone. A party are now out on the roads between this and Upper Cohoos; and, by desire of Captain Bucknam, I lately wrote to Lieutenant Bayley to set his men to work on the road from Lancaster, and to continue on, through Apthorp, till they met with our party. I did not know, till Bucknam informed me, that there were twenty-five men enlisted anew under Eames and Bayley, which were ordered, by the Committee of Safety at Exeter, to finish the fort in Lancaster; but that the inhabitants of Lancaster would choose rather that these men might be employed to repair the roads between Upper and Lower Cohoos before the winter set in: and, as the time was so short during which the men would be in the service, they could not work effectually on this and the road you proposed. But, should there be further opportunity, you may depend I will exert myself to get you the help you so warmly press for. Indeed, I think you have been very ill used by the proprietors of the land through which you have made so long a road, especially Major Richardson.

But what influence I may have is very uncertain another season; for, the more I exert myself to serve the people in this quarter, the more ingratitude I find among them: so that I have little expectation of going to the Assembly another year; nor do I desire it,—had much rather be excused. Besides the trouble and fatigue of frequent journeys, my private business suffers greatly by my absence from home; and, after all, no thanks from an ungrateful people. Some few, however, appear to be my friends, and, I believe, would be fond of my continuing in the Assembly; thinking that I have been, and may be, of more service to this part of the country than any other they can choose hereabouts. The Dartmouth-College party are striving what they can to interrupt, and if possible to overset, our plan of government; but I am much mistaken if they will make any great head. A few days may determine it. Their meeting by adjournment comes on to-morrow; our choice of a representative, next week. I wish you would undertake for your district, and that the people would honor themselves by choosing you: I could then, with more pleasure, engage in the public business for this part

of the country, having so good an assistant at court. A great deal is wanted to be done for this poor people; and, if the war should continue, we shall be upon the most exposed frontier. I feel a disposition to enlarge, but have not time, and must be excused. I have brought Mrs. Hurd up again with me, though not without a good deal of reluctance; and I fear she'll not be happy here long, especially as I am going down to Exeter next week for our last sessions, and may be absent another month. She desires her kind compliments and regards to you with mine. Being with great esteem,

Dear sir, your sincere friend and most humble servant,

J. HURD.

If you intend for Portsmouth soon, I could wish to have you come round this way.

James Lovell to Joseph Whipple.

PHILADELPHIA, March 12, 1777.

MY DEAR SIR, — Yours of Jan. 22 did not come to hand till the 26th of February, at Baltimore, after our resolve to return to this city. Here I arrived last Wednesday, and omitted writing to you by one opportunity; expecting another of greater despatch, wherein I have been disappointed. Laugh not at this circumstantial detail: it is produced altogether as an opiate for my own sensibility. For I well recollect how much pleasure the receipt of your kind letter gave me, and I remember it to have been the first enjoyment of the kind which any one had afforded me after I left Boston; and therefore it was that I felt a guilty flutter, upon taking up my pen just now to do what ought not to have been omitted thus long without reason, which I was trying to give to *myself* in the first lines above.

The business which deprived me and mine of your good company in Boston has robbed me also in Baltimore, at times, of my customary pillow-visitor; but I have such a hope of things being now in a proper train, that sweet sleep will resume the place which sour care has occupied for a season. Cannon and ammunition are in forwardness for Ticonderoga, and some new levies are actually arrived there: so that, if it is not already invested, we may be well prepared for a spring attack. The lake was not frozen at our last information; nor did the small-pox prevail in the garrison, though there was some appearance of that distemper.

The enemy in the Jerseys have been long liable to be destroyed by any considerable army of vigor. I am not able from any regular returns to say what *number* we have had; and you are as good a judge as I can be as to spirits.

High expectations have been formed here of good news from Rhode Island, where there can be only a small inimical force; but a letter which I have just received from Providence puts an end to those expectations.

It is plain that we must look for another summer's bloody work; and though I cannot say it is absolutely certain that there will be foreign diversions in our favor, yet I think the appearances of such an event are many and encouraging. As to supplies of arms and clothing, there is no doubt that we shall be well off in a few months, even to a surplus; but we must set out with what can now be collected by industry in each State of the Union, by purchase or loan or impressments.

It is judged altogether impossible for Howe to move this way by land, for want of forage and horses; the quantity and number of which ought to be accurately ascertained, in secret modes of intelligence, by our General.

Confusion to the wretches who broke in upon your intended rural scheme of life! Historians, poets, and painters unite to direct us from noisy capitals to country retirements, for the greatest felicity within the allotments of this habitable planet. I had often formed wishful prospects of spending some future part of my days as a farmer, before old age should unfit me to set an industrious example in that course of life to my dear boys: but I was obliged, like you, to make a proviso for my beloved partner, "if it should be her choice;" for, without an union of sentiment in such connections, no alteration of an habitual course of living could be crowned with felicity. May the scenes of war, rapine, and murder, from which, in generous patriotic resolution, you have scorned to hide yourself, be soon at an end! and may they eventually, in contrast with the future fulfilment of your former rural plan, be productive of a vast increase of happiness!

In Baltimore, I had the satisfaction of dieting in the same family with Colonel Whipple. Here we have taken lodgings together. This circumstance tends much to alleviate the great vexation which is the product of my mission to this part of the continent. Our landlord is Mr. George Duncan of Boston. But it is the landlady

which determined me in this land of strangers. Tell my friends and Polly Middleton's friend that Mrs. Duncan *formerly was* a Ran, the pretty daughter of Parry. The marked words, simple as they appear, caused many a fat laugh for your charming wife some years ago. Though past years, and the laughing irritability peculiar to them, will not return, yet let us hope together for a lengthy series of more rational pleasures, calm and philosophic, in our after-course through what the splenetic call "this vale of tears."

The remnant of this sheet will suffice to contain in words the profession of an affectionate regard for you and your dear Hannah, which no extent of separation from you can alter, and which is really heightened by my misfortunes, lately threatening to cut me off from all opportunity of asserting myself

Your friend and humble servant,

JAMES LOVELL.

James Lovell to Joseph Whipple.

JULY 29, 1777.

MY DEAR SIR, — Perhaps it is from my attachment to New England that I do not give into the determination that Howe is certainly coming into the Delaware with his fleet, which has appeared off the Capes; but I still imagine he has other designs. I hope the alarmist in the Eastern States will be ready to give amusement and opposition to him, if he should take a turn that way, till they shall be joined by Continental troops. For though we have not near the army voted to be in the field, yet you may be assured we have a fine body, in good spirits, and giving signs of the best discipline, as our committee just returned from camp affirm among friends; for it is thought best to say little yet. There were in the Jerseys and at Peekskill eighteen thousand, besides cavalry and many troops which were not in the rolls, but which we know have since gone, or are at work on this river; making upwards of twenty thousand. I think, just at present, this should not be public. If Howe is coming here, it is under circumstances more in favor of Philadelphia than will again happen. The brave Jersey militia, who have been balked of fighting at home as much as they wish, will be as good or better here than Continental. The last fight from duty; the first, from a spirit of revenge.

The States-General of Holland made a too humble reply to York's saucy remonstrance; and Lord Suffolk was sarcastic to Count

Welderen in a responsive letter of the 10th of April, in which he tells the count that his majesty's *expectations* are fulfilled by the *recall* of De Graaf, and a *disavowal* of the insult complained of. People in Holland and elsewhere are dissatisfied with the *humility* of their *high-mightinesses*.

From the report of an English packet being taken and carried to France, we are wishing to hear from our commissioners more than usually. It cannot be long, I think, before we shall have a vessel from France. The Southern coast is too much used: our Eastern country affords more certain ports. I shall be punctual in letting your brother know of any interesting arrival, though I may not always accompany my letters to him by a distinct written proof of my love and esteem of you and your lady as now.

Your humble servant,

JAMES LOVELL.

James Lovell to Joseph Whipple.

FEB. 6, 1778.

DEAR SIR,—I will not make so little use of your many friendly professions, and your knowledge of the perplexing multiplicity of affairs which naturally lay before Congress, as now to make any further apology for not before answering your very obliging letter of Dec. 29, than by telling you, that there have been very few delegates, and very many foreigners at Yorktown for some time past.

I hope the enclosed resolve will prove a sifter to many vermin who are eating Continental bread. Virginia is acting with her wonted spirit in filling up her quota, and furnishing five thousand volunteers to open the next campaign, besides providing for the army both clothing and food. They have also a test. Maryland not only excludes non-jurors from office, but subjects them to treble taxation. This last is peculiar to Maryland; but I think it a very good example for other States. You will have seen what we have done in regard to the affair of retaliation which you mentioned, and also how far we have exceeded your hints about Burgoyne.

It is high time that we should show that we feel independence as well as profess it. We long ago instructed our commissioners to show, under the authority of our signature, that we had not treated, nor would ever treat, with Great Britain upon any other footing but our declaration of July 4, 1776.

France is playing a lucrative game ; but it is by no means the highest she has in her power to play : and I think, by every account from the West Indies, she has already cut the cards for dealing. We have been robbed of our despatches of October, either in France or on the passage. But I am sure, from Dr. Franklin's letters to myself, that there could be no bad news in the public packet. He writes as gayly as a man of middle-age on general topics.

Salute, for me, her who most of all women will welcome you with such a commission. She does not know from how much honest love I give it ; therefore will place all the value to your credit.

I will not now write to the Brigadier ; therefore tell him that J. D. Sergeant and Mr. Patterson are to assist at the trials on the Ticonderoga affair : so that Congress have done all that was proper, though the event may not answer the too warm expectations of such as were highly chagrined at perhaps inevitable losses.

I am, sir, very affectionately, your humble servant,

JAMES LOVELL.

From Robert Morris to the Governor of New Hampshire.

OFFICE OF FINANCE, PHILADELPHIA, July 25, 1781.

SIR,—I had the honor to write to you on the 16th inst., enclosing a certified copy of the account of your State as it stands in the treasury-books of the United States. I now pray leave to recall your attention to it. It gives me very great pain to learn that there is a pernicious idea prevalent among some of the States, that their accounts are not to be adjusted with the Continent. Such an idea cannot fail to spread listless languor over all our operations. To suppose this expensive war can be carried on without joint and strenuous efforts, is beneath the wisdom of those who are called to the high offices of legislation. Those who inculcate maxims which tend to relax these efforts, most certainly injure the common cause, whatever may be the motives which inspire their conduct. If once an opinion is admitted, that those States who do least and charge most will derive the greatest benefits and endure the smallest evils, your excellency must perceive that shameless inactivity must take the place of that emulation which ought to pervade and animate the whole Union. It is my particular duty, sir, while I remind my fellow-citizens of those tasks which it is incumbent on them to perform, to remove, if I can, every impediment which lies in the

way, or which may have been raised by disaffection, self-interest, or mistake. I take, therefore, this early opportunity to assure you, that all the accounts of the States with the United States shall be speedily liquidated, if I can possibly effect it; and my efforts for that purpose shall be unceasing. I make this assurance in the most solemn manner; and I entreat that the consequences of a contrary assertion may be most seriously weighed and considered before it is made or believed. These accounts naturally divide themselves into two considerable branches; viz., those which are previous, and those which are subsequent, to the resolutions of Congress of the 18th March, 1780. The former must be adjusted as soon as proper officers can be found and appointed for the purpose, and proper principles established, so as that they may be liquidated in an equitable manner. I say, sir, in an equitable manner; for I am determined that justice shall be the rule of my conduct, as far as the measure of abilities which the Almighty has been pleased to bestow shall enable me to distinguish between right and wrong. I shall never permit a doubt that the States will do what is right; neither will I ever believe that any one of them can expect to derive advantage from doing what is wrong. It is by being just to individuals, to each other, to the Union, to all; by generous grants of solid revenue, and by adopting energetic methods to collect that revenue; and not by complainings, vauntings, or recriminations, — that these States must expect to establish their independence, and rise into power, consequence, and grandeur. I speak to your excellency with freedom, because it is my duty so to speak, and because I am convinced that the language of plain sincerity is the only proper language to the first magistrate of a free community.

The accounts I have mentioned as subsequent to the resolutions of the 18th March, 1780, admit of an immediate settlement. The several States have all the necessary materials. One side of this account consists of demands made by resolutions of Congress long since forwarded: the other must consist of the compliances with those demands. This latter part I am not in capacity to state; and, for that reason, I am to request the earliest information, which the nature of things will permit, of the moneys, supplies, transportations, &c., which have been paid, advanced, or furnished by your State, in order that I may know what remains due. The sooner full information can be obtained, the sooner shall we know what to rely on, and how to do equal justice to those who have contributed, and those

who have not; to those who have contributed at one period, and those who have contributed at another. I enclose an act of the specific supplies demanded of your State, as extracted from the journals of Congress, though without any mention of what has been done in consequence of those resolutions; because, as I have already observed, your excellency will be able to discover the balance much better than I can. I am further to entreat, sir, that I may be favored with copies of the several acts passed in your State since the 18th March, 1780, for the collection of taxes, and furnishing supplies or other aids to the United States, the manner in which such acts have been executed, the times which may have been necessary for them to operate, and the consequences of their operation. I must also pray to be informed of so much of the internal policy of your State as relates to the laying, assessing, levying, and collecting of taxes.

I beg leave to assure your excellency, that I am not prompted either by an idle curiosity or by any wish to discover what prudence would dictate to conceal. It is necessary that I should be informed of these things; and I take the plain, open, candid method of acquiring information. To palliate or conceal any evils or disorders in our situation can answer no good purpose: they must be known before they can be cured. We must also know what resources can be brought forth, that we may proportion our efforts to our means, and our demands to both. It is necessary that we should be in condition to prosecute the war with ease before we can expect to lay down our arms with security, before we can treat of peace honorably, and before we can conclude it with advantage. I feel myself fettered at every moment, and embarrassed in every operation, from my ignorance of our actual state, and of what is reasonably to be asked or expected; yet when I consider our real wealth and numbers, and when I compare them with those of other countries, I feel a thorough conviction that we may do much more than we have yet done, and with more ease to ourselves than we have yet felt, provided we adopt the proper modes of revenue and expenditure. Your excellency's good sense will anticipate my observation on the necessity of being informed what moneys are in your treasury, and what sums you expect to have there, as also the times by which they must probably be brought in. In addition to this, I must pray you to communicate the several appropriations. A misfortune peculiar to America requires that I entreat your excellency to undertake one more task;

which, perhaps, is far from being the least difficult. It is, sir, that you will write very fully as to the amount of the several paper currencies now circulating in your State, the probable increase or decrease of each, and the respective rates of depreciation. Having now stated the several communications which are most indispensable, let me entreat of your excellency's goodness that they may be made as speedily as possible, to the end that I may be early prepared with those propositions, which, from a view of all circumstances, may be most likely to extricate us from our present difficulties. I am also to entreat that you will inform me when your Legislature is to meet. My reason for making this request is, that any proposals to be made to them may arrive in season for their attentive deliberation. I know that I give you much trouble; but I also know that it will be pleasing to you, because the time and the labor will be expended in the service of your country. If, sir, my feeble but honest efforts should open to us the prospect of American glory; if we should be enabled to look forward to a period, when, supported by solid revenue and resource, this war should have no other duration or extent than the wisdom of Congress might allow, and when its object should be the honor, and not the independence, of our country; if, with these fair views, the States should be roused, excited, animated, in the pursuit, and, unitedly determining to be in that happy situation, find themselves placed there by the very determination; if, sir, these things should happen, and, what is more, if they should happen soon, — the reflection, that your industry has principally contributed to effect them, would be the rich reward of your toils, and give to your best feelings their amplest gratification.

With the most respectful esteem, I have the honor to be your excellency's most obedient,

R. M.

Thomas Dwight to John Lowell.

SPRINGFIELD, Dec. 13, 1786.

DEAR SIR, — I reached home last evening; found that the insurgents, in small parties, were passing all yesterday through this town, on their return to their respective homes; and about seventy or eighty have passed this morning. They appear rather chopfallen than otherwise; are unable to inform us what has been done, or why they are dismissed. Some of them, however, I perceive, consider General Ward and *Hon. Moses Gill* as under promises

of honor to give themselves up to Mr. Shays, whenever called on ; provided Shattuck, Parker, and Page are not released from their confinement, according to request made by a committee of the insurgents, in which request *they say* they were joined by the judges of the Common Pleas of Worcester. You will remember, sir, these were but reports, perhaps fabricated, without much foundation in fact. The stage has not yet reached this town : by it you will probably receive ample accounts. No person has been here within these three or four days from Shays's rendezvous, but such as are of his party or devoted to his service : our accounts, therefore, we conceive to be very imperfect.

The road from Hartford to this place, on the east side of the river, is very good from the upper part of Windsor : below that, very bad ; the inhabitants having been long accustomed to wait until travellers break roads for them.

I cannot conceive there will be the least danger in your returning to Boston by this road. You need but see the tameness of the poor storm-beaten lads that are returning, to be convinced they have lost all intentions of offering injury to anybody.

Be pleased, sir, to make my compliments to Mrs. Lowell ; and believe me, with the greatest respect,

Your humble servant,

THOMAS DWIGHT.

Henry Gibbs to — Whipple.

BOSTON, March 21, 1733-4.

— WHIPPLE.

SIR, — I received yours *per* the carrier, with the piece of cloth, and shoes and pattoons : and, as to the shoes and pattoons, my spouse sends them back, lest you should lose the sale of them, by reason that none of them would suit my spouse ; and she would have sold them for you, but could not. And, as to the cloth, it won't do to send any more of it, by reason of the price.

Yesterday, we had a brigantine from — in five weeks, and there was a ship in five weeks there from England, which say there is not like to be war, and that the men-of-war are hauled up there ; but we don't give much credit to the news at present. We are daily in expectation of news from England. We have had town-meetings for above a week, about fortifications : and we have voted to have one built upon the flats between the South Battery and the Castle,

three hundred feet long and thirty feet wide, to mount twenty pieces of cannon ; the end of the Long Wharf fortified with a breastwork, and mount seven guns ; the end of Clark's Wharf also to mount six guns ; and an addition to the South Battery, and well fortified. For which the town have voted ten thousand pounds at present ; and to complete the work, I suppose, will take as much more, and to provide stores of war. This town has voted a market in this town, in three places ; viz., one at the South End, one at the Old North Meeting-house, and one at the Town Dock. They are going about them with all speed to erect market-houses, and the town have voted that the selectmen further . . . ; which is a perplexing thing. Just now, Captain Wakefield is come from the Isle of Man, but brings no news. I am sorry to hear that you have hurt your leg, but happy it is not very bad. My spouse and self send love to you and spouse. From your friend and servant,

HENRY GIBBS.

Mr. LIVERMORE, in calling attention to a new volume of the Society's Proceedings for the years 1858-1860, copies of which were placed on the officers' table, offered the following votes, which were unanimously passed ; viz. :—

Voted, That the thanks of the Society be presented to James Lawrence, Esq., for the beautiful engraving of his father-in-law, Mr. Prescott, executed at his expense, for the new volume of the Proceedings.

Voted, That the Society express their gratitude to their associate, Leverett Saltonstall, Esq., for the fine portrait of his ancestor which forms the frontispiece of the new volume of Proceedings.

Voted, That the Standing Committee be authorized to continue the publication of the Society's transactions.

On motion of Mr. LOWELL, it was *voted*, That the thanks of the Society be presented to Messrs. Robbins

and Livermore, who have had in charge the publication of the transactions of the Society, for the very satisfactory manner in which they have performed that duty.

M. Mignet of France was elected an Honorary Member of the Society; and Hon. William R. Staples, of Rhode Island, a Corresponding Member.

The Chairman of the Standing Committee, Hon. EMORY WASHBURN; the Treasurer, Hon. RICHARD FROTHINGHAM, Jun.; the Librarian, Rev. Dr. LOTHROP; and the Cabinet-keeper, Dr. SHURTLEFF, — presented their Annual Reports; which were read and accepted.

Annual Report of the Standing Committee.

The Standing Committee congratulate the Society upon the general success which has attended it during the past year. With few incidents worthy of special notice to mark its history, its affairs have gone on with entire harmony, and with a good degree of prosperity. It has sensibly felt the loss of the constant attention and able and efficient aid which its President has been accustomed to lend to its interests; and although his place, as a presiding officer at its meetings, has been most acceptably supplied by the Vice-Presidents, the Society could not have failed to regret his absence, and will not fail to rejoice at his return to a post which he fills with so much dignity, usefulness, and acceptance.

In view of the inconvenient hour at which the stated meetings of the Society are held, the goodly number which has regularly convened on these occasions is a gratifying evidence of the estimation in which the Society and its purposes are held by its members. If its meetings and its transactions are less blazoned through the press than they deserve, it may

be ascribed to a severe taste, and a general desire on the part of its members that the Society should pursue its course in an unostentatious manner.

The Committee cannot forbear to allude to the remarkable number of eminent names which have been stricken from the roll of our members during the past year. Choate, Carey, Gilpin, Hallam, Humboldt, Irving, Macaulay, De Tocqueville, Rush, — men crowned with various honors and virtues, each and all more or less illustrious in their respective departments of literature or science, many of them of a world-wide fame, — these have, one after another, been made the subjects of special commemoration and eulogy. What year, of this or any other society, was ever signalized by the loss of so many distinguished associates?

Two only of our Resident Members have died during the year, and eleven have been elected: so that the Society now consists of ninety Resident Members.

Although no volume of Collections has been published during the year, it is believed that the work of preparing and publishing one has commenced under favorable auspices. A volume of transactions is presented to the Society to-day by the Committee who have had it in charge; which, it is hoped, will be found interesting and valuable. The Committee, moreover, are able to congratulate the Society upon the completion of so desirable a work as a Catalogue of the printed books of the Society. It is in two volumes, beautifully executed, forming as complete a work of the kind as could be reasonably desired; and reflects great credit upon the skill, industry, perseverance, and good taste of the Committee under whose superintendence the work has been accomplished, through the immediate agency of Dr. Appleton, the Assistant Librarian.

It is a most valuable key to the treasures of the Society, which every member ought to possess; and it is to be confidently hoped that means will be shortly devised, by which the

unpaid balance of the original expense of about twenty-five hundred dollars attendant upon the work may be cancelled.

The condition of the funds will appear from the Treasurer's Report. Though presenting a balance upon the wrong side of the account, there is nothing in that circumstance to lead to any apprehension, that with economy, and the ordinary degree of favor which the Society has hitherto enjoyed, its indebtedness may not soon be cancelled, and means for a more extended usefulness, ere long, be in its possession.

The permanent property of the Society remains as at the last Report, with the exception of what has been done to reduce the debt charged upon their real estate, and the additions made to the library.

Among the interesting relics and memorials of the past in possession of the Society are the two swords recently confided to their keeping; the presentation of which, and the deeply interesting remarks on the occasion, form a part of the present volume of transactions. During the current year, these have been arranged with great taste by a Committee who had the same in charge; and now, surmounted by the names and armorial bearings of Prescott and Linzee, they form a beautiful and most interesting decoration to the walls of our library.

Long may they repose there, united by an olive wreath!—an emblem of the harmony that should ever prevail where men of generous minds come together for liberal purposes and kindred aims.

The Committee would be unjust if they failed to remind the Society of the obligation they are under for the cheerful, unpaid, and faithful services of their Secretaries, their Treasurer, their Librarian, and Cabinet-keeper; and, while it might seem invidious to speak of the active usefulness of individual members in promoting the interests of the Society, the Chairman of the Standing Committee would be doing injustice to his associates if he failed to bear unqualified testimony to the

promptness and assiduity with which they have answered every call, and volunteered every service in their power which could promote the success and usefulness of the Society.

The Society, in conclusion, have renewed cause for congratulation, as they recur to the experience of the past, at the favorable auspices under which they are to commence a new year of their existence.

With an increase of numbers, with an increase of means, and a constantly growing demand for the results of the labors and influence of just such men as are enrolled upon their catalogue, it may not be an inappropriate close of this Annual Report, to remind the gentlemen of the Historical Society, that, as stewards of a noble treasure, the world has a right to expect that the coming year shall bring forth richer and more abundant fruits than that which is now brought to a close.

EMORY WASHBURN, *Chairman.*

Annual Report of the Treasurer.

In compliance with the request of the Standing Committee, the Treasurer presents the following statement of the financial condition of the Society:—

GENERAL ACCOUNT FOR THE YEAR ENDING APRIL, 1860.

DEBITS.	
Balance due Treasurer.	\$312.37
Interest to Suffolk Savings Bank	1,630.33
John Appleton's Salary	699.96
George Arnold's Salary	516.36
Printing Proceedings	731.46
Sundries	195.11
Insurance	187.50
Boston Taxes	194.00
Printing and Binding	169.90
Historical Trust-fund	180.00
Coal	70.12
Repairs	119.00
Show Case	47.00
	<u>\$5,053.11</u>

CREDITS.

Rent of Suffolk Savings Bank	\$2,200.00
Income of Dowse Fund	600.00
Assessments	375.00
Admission Fees	70.00
Sales of Society's Publications	588.28
Tax of Suffolk Savings Bank	194.00
Copyright and Sales of Life of John Quincy Adams	248.10
Balance due the Treasurer	777.73
	<u>\$5,063.11</u>

THE APPLETON FUND.

This fund consists of ten thousand dollars, which was presented Nov. 18, 1854, to the Society, by the executors of the will of the late Samuel Appleton, on the condition that its income shall be applied to the purchase, preservation, and publication of historical material. Volumes three and four of Fourth Series of the Society's Collections were printed from this fund; and the amount paid for copying, the past year, is a portion of the expense of the fifth volume, now going through the press. It is invested, as it was received from the executors, in the stocks named below.

Account ending April, 1860.

DEBITS.

Paid for copying	\$226.62
Balance in Treasurer's hands	1,203.61
	<u>\$1,430.23</u>

CREDITS.

Balance of the Account of 1859	\$570.23
Dividends on 2 Shares of Amoskeag Company	160.00
" " 2 " " Stark Company	160.00
" " 1 Share " Appleton Company	100.00
" " 1 " " Hamilton Company	80.00
" " 1 " " Merrimack Company	100.00
" " 1 " " Cotton Mills	80.00
" " 1 " " Suffolk Company	80.00
" " 1 " " Manchester Prints	100.00
	<u>\$1,430.23</u>

MASSACHUSETTS HISTORICAL TRUST-FUND.

This fund consists of two thousand dollars, presented to the Society, Oct. 15, 1855, by Hon. David Sears; the annual income of which may be expended in certain specified objects, as the Society may, by special vote, direct.

Account to April, 1860.

DEBITS.

Paid Suffolk Savings Bank on the Society's Note of \$27,500,	\$500.00
Balance in the Treasurer's hands	30.57
	<u>\$530.57</u>

CREDITS.

Balance of Account of 1859	\$350.57
Income to March 1, 1860	180.00
	<u>\$530.57</u>

THE DOWSE FUND.

This fund, of ten thousand dollars, was presented to the Society, April, 1857, by the executors of the will of the late Thomas Dowse; and it is invested in a note signed by Edward Hyde and O. W. Watris, secured by mortgage on real estate. The income, six hundred dollars, is used for heating the library-room, insurance on the library, and a portion of the salary of the Librarian.

THE CATALOGUE FUND.

This is a special fund, raised by subscription, to print the Catalogue of the Society's Library, which has just been completed.

DEBITS.

Paid John Wilson and Son, on account of the Catalogue	\$1,191.03
	<u>\$1,191.03</u>

CREDITS.

Balance of old Account	\$163.93
Subscriptions received	850.00
Balance due the Treasurer	177.10
	<u>\$1,191.03</u>

PROPERTY OF THE SOCIETY.

The Estate on Tremont Street.—The Society purchased, March 6, 1833, of the Provident Savings Institution, the second story and one-half of the attic story of this building, for \$6,500; and on the 13th of March, 1856, the remainder of the interest of this institution, for \$35,000. A portion of this was paid by subscription; and, for the remainder, the Society mortgaged the whole estate to the Suffolk Savings Bank for Seamen and Others, for \$27,500. Five hundred dollars were paid on this note the past year. The lower floor is leased to this bank for fifteen years from March 1, 1856, for \$2,200 per year.

The Library, Paintings, and Cabinet.—The library consists of about eight thousand bound volumes, and thirteen thousand pamphlets.

The Society's Publications.—These consist of the thirty-four volumes of the Collections, two volumes of Proceedings, and two volumes of the Catalogue,—about six thousand volumes,—which are for sale.

The Appleton Fund, of ten thousand dollars.

The Massachusetts Historical Trust-fund, of two thousand dollars.

The Dowse Library.—This library was presented to the Society by the late Thomas Dowse, and consists of about five thousand volumes.

The Dowse Fund, of ten thousand dollars.

The Copyright of the "Life of John Quincy Adams."—This was presented to the Society by Hon. Josiah Quincy.

THE INCOME.

The income of the Society consists of an annual assessment, on each Resident Member, of five dollars, or, instead, the payment of sixty dollars; the admission-fee, of ten dollars, of new members; the rent of the lower floor of the Society's

building; the income of the Dowse Fund; the sales of the publications of the Society, and the sales of the "Life of John Quincy Adams." There is no income for the purchase of books; nor, indeed, is there a reliable income at all adequate to the proper maintenance of an institution of so much public interest and utility.

RICHARD FROTHINGHAM, Jun., *Treasurer.*

Boston, April 9, 1860.

Annual Report of the Librarian.

Boston, April 12, 1860.

The Librarian, in conformity with the rule which requires him at the annual meeting to present a statement of the condition and wants of the library, with a notice of the important accessions that have been made to it during the year, respectfully submits the following Report:—

The whole number of additions to the library, during the past year, is one thousand seven hundred and eighty. Of these, one thousand seven hundred and twenty-six were donations: fifty-four volumes were obtained by purchase. Of the donations, there are one thousand two hundred and seventy-four pamphlets, three hundred and thirty-one bound volumes of books, forty-seven bound volumes, and one unbound, of newspapers, sixteen broadsides, forty-eight single numbers of newspapers, four maps, two prints, and four manuscripts. In the number of separate items, the addition to the library is larger than in any previous year, but not so valuable nor so interesting as those of the last two or three previous years. Among the most valuable of them may be mentioned seven volumes of newspapers, presented by Rev. Dr. Lamson; sixteen volumes of documents relating to public schools of the city of New York, presented by Richard Warren, Esq., of that city; an atlas of the English Colonies in America, presented by Count Jules de Mena; two volumes Senate and

Executive documents, by State Department; thirty-three volumes of newspapers, containing various consecutive volumes of the London "Times," London "Evening Mail," the "National Intelligencer," the Washington "Globe and Union," presented by Thomas Aspinwall; eleven volumes of tracts, containing numerous general and artillery-election sermons and other interesting pamphlets, presented by Rev. Charles Lowell, D.D.; one beautiful reprint of "Syllacius De Insulis," &c., and several beautiful reprints of tracts relating to Catholic missions in this country; panoramic view of Boston in 1775, taken by Lieutenant Williams, of the British Army, from a view by Lieutenant Woods, whose original draught was presented to the king (this copy is presented by I. Carlton Brevort of New York); Dr. Purple's medical works, presented by the author; a *fac-simile* of the titlepage of "The General Historie of Spaine," London, 1612 (our copy of this work being without a titlepage, Mrs. G. R. Babcock, of Buffalo, N.Y., drew a *fac-simile* from a copy in the library of her husband; and by him it was presented to us, and now occupies its appropriate place in the volume); "Diplomatic Correspondence of the American Revolution," twelve volumes, and second series of "American Biography," fifteen volumes, presented by Mr. Sparks. Without enumerating them, it may be stated, that President Felton, and Professors Longfellow, Parker, and O. W. Holmes, have presented to the library complete sets of their publications; and care has been taken by all the members to furnish us with a copy of whatever they have published.

Among the valuable books obtained by purchase or exchange, and worthy of special notice, are Dugdale's "Monasticon," eight volumes; Rushworth's "Historical Collections," eight volumes; Thurlow's "State Papers," seven volumes.

Of the manuscripts that have been added to our already valuable collection, one is a letter of Governor Hutchinson to T. Goldthwait, 1771, presented by Mr. Minot; another is one

hundred and twenty-six letters, of a miscellaneous character, addressed to Judge Lowell, presented by Rev. Dr. Charles Lowell; another is the observations of the merchants of Havre de Gros on the commerce of foreigners with the French West Indies, presented by Hon. Josiah Quincy; and another is extracts from the diary of Thomas Newell, in 1774, presented by Hon. Edward Everett.

All the donations that have been received have been acknowledged and catalogued. The number of volumes taken out of the library during the year is two hundred and eleven. All have been returned in good order, except a copy of Heath's "Memoirs," taken out by Hon. Charles Hudson, which will be replaced whenever another copy can be procured.

The Librarian would earnestly call the attention of the Standing Committee and of the Society to the importance, the imperative necessity, of more shelf-room. A large number of valuable books are piled upon tables, or packed away in places where they are not easily accessible.

Respectfully submitted.

S. K. LOTHROP, *Librarian.*

Annual Report of the Cabinet-keeper.

In fulfilling the requisition of the By-laws of the Society, by which the condition of the museum must be made known at the annual meeting, the Cabinet-keeper submits the following as his Report:—

During the past year, the increase of the cabinet has been somewhat larger than in the few previous years. Many articles of considerable historical value and antiquarian interest have been added to the already interesting collection of articles which form the museum of the Society. These have been announced and noticed, from time to time, at the stated

meetings of the Society, as they have found their way to the historical rooms ; and, therefore, individually require no special mention at this time.

Since the last annual meeting, another show-case has been procured, in which have been placed, for general inspection, many of the smaller and more curious relics belonging to the Society ; yet it is much to be regretted that the finances of the Society have not been in a condition to warrant the expenditure of money for the fitting-up of a separate room, to be devoted entirely to the preservation and display of the treasures of the association. It is hoped, that, when more pressing calls for the expenditure of money have been met, an appropriation for this purpose will be made.

The Cabinet-keeper has the satisfaction of reporting, that, although all the articles under his care are not in a proper condition for exhibition, they are nevertheless safely kept, no loss having occurred to the museum during the past year.

Having held the office of Cabinet-keeper for a period of six years, and feeling that there are other members of the Society, who are not only less engaged than himself, but better qualified for the trust, the present incumbent requests that he may be relieved from the further duties and responsibilities of office, and that another may be elected in his place.

Respectfully submitted,

NATHL. B. SHURTLEFF,

Boston, 12th April, 1860.

Cabinet-keeper.

On motion of Mr. R. FROTHINGHAM, Jun., it was *voted*, That the thanks of the Society be presented to Rev. Chandler Robbins, D.D., and Charles Deane, Esq., the Committee for publishing the Catalogue of the Society's Library, for the very gratifying manner in which they have completed this laborious work.

The following gentlemen were elected officers of the Society for the ensuing year ; Dr. Shurtleff having declined to be a candidate for the office of Cabinet-keeper.

President.

HON. ROBERT C. WINTHROP, LL.D. BOSTON.

Vice-Presidents.

JARED SPARKS, LL.D. CAMBRIDGE.

HON. DAVID SEARS, A.M. BOSTON.

Recording Secretary.

REV. CHANDLER ROBBINS, D.D. BOSTON.

Corresponding Secretary.

JOSEPH WILLARD, A.M. BOSTON.

Treasurer.

HON. RICHARD FROTHINGHAM, JUN., A.M. CHARLESTOWN.

Librarian.

REV. SAMUEL K. LOTHROP, D.D. BOSTON.

Cabinet-keeper.

SAMUEL A. GREEN, M.D. BOSTON.

Standing Committee.

CHARLES DEANE, A.M. CAMBRIDGE.

HON. SOLOMON LINCOLN, A.M. HINGHAM.

HENRY A. WHITNEY, A.M. BOSTON.

COLONEL THOMAS ASPINWALL BOSTON.

LEVERETT SALTONSTALL, A.M. NEWTON.

On motion of Mr. ELLIS, it was *voted*, That the thanks of the Society be presented to the Hon. Emory Washburn, who has just retired, in course, from his post as Chairman of the Standing Committee, for the efficient services he has so cheerfully rendered to the Society during the past year.

On motion of Mr. LIVERMORE, it was *voted*, That thanks be presented to Dr. Shurtleff for his useful labors as Keeper of the Society's cabinet.

Mr. SPARKS presented a stamp used in the time of the Stamp Act, — a gift to the Society from Benjamin Moran, Esq., Assistant Secretary of the United-States Legation in London in 1859.

MAY MEETING.

A stated monthly meeting of the Society was held this day, Thursday, May 12, at noon; JARED SPARKS, LL.D., one of the Vice-Presidents, in the chair.

The Librarian announced donations from the Chicago Historical Society; Harvard College; the Essex Institute; the State of Connecticut; the New-York Agricultural Society; the Peabody Institute; the Tennessee State Library; the State of Rhode Island; the Royal Society of Northern Antiquaries; the Smithsonian Institute; Union College; General J. W. De Peyster; Rev. Caleb D. Bradlee; Henry B. Dawson, Winthrop Sargent, L. A. Huguet Latour, James Lenox, and Richard Warren, Esqs.; and from Messrs. Deane, Lamson, Quint, Robbins, Sibley, Washburn, and Winthrop, of the Society.

In the absence of the Corresponding Secretary, the Recording Secretary read letters from the Librarian of Bowdoin College and the Trustees of the Boston Athenæum, acknowledging the Society's attention in presenting the last volume of the Proceedings and the Catalogue to those institutions; also a letter from Hon. William R. Staples, of Rhode Island, accepting Corresponding Membership.

The Chairman of the Standing Committee, Mr. DEANE, communicated the following note, addressed to the Committee by Nathaniel Ingersoll Bowditch, Esq., presenting to the Society a file of original documents relating to the witchcraft trials:—

BROOKLINE, April 16, 1860.

To the Standing Committee of the Mass. Hist. Society.

GENTLEMEN,—More than fifty years ago, the late Hon. John Pickering, of Salem, came into possession of certain "Witchcraft Papers, 1692:" they were then in the hands of a person who had come by them honestly, and who gave them to him. Mr. Pickering considered that they probably once belonged to the files of the court of Salem, and, as he was a sworn officer of the court, had some scruples of conscience about retaining them himself; and therefore, after examining them, gave them to my late father. They remained in his possession till his death, in 1838; and were preserved in the house which he had occupied till it was taken down for the extension of Devonshire Street, in 1858. I then received them with the rest of my father's papers and manuscripts.

An ancient possession is the very best of legal titles; and it is quite possible that these papers may never have been stolen. When the old Court House in School Street, Boston, was taken down to make way for the present building, several barrels full of papers were blowing about in the square,—the rightful property of any one who happened to pick them up. I cannot but hope that my title to these "Witchcraft Papers" had some equally honest origin.

Quite a number of these documents relate to George Burroughs's case. There are several *billa veras*, or "true bills," of indictment; several depositions, showing the frivolous character of the testimony offered; and several minutes of the examination held before the magistrates. Without possessing any great historical value, these papers are, as

it seems to me, quite curious; and I have much pleasure in presenting them to the Society.

If the Committee find it practicable to have them arranged and handsomely bound, together with a table of contents, I wish that it may be done at my expense.

I remain very respectfully yours,

N. I. BOWDITCH.

Mr. Deane then exhibited the papers referred to; some of which, especially those relating to the case of George Burroughs, which here follow, he read to the Society: —

Warrant for the Arrest of George Burroughs.

TO JNO. PARTRIDGE, Field-marshal.

You are required, in their majesties' names, to apprehend the body of Mr. George Burroughs, at present preacher at Wells in the Province of Maine, and convey him with all speed to Salem, before the magistrates there, to be examined; he being suspected for a confederacy with the Devil, in oppressing of sundry about Salem, as they relate. I having received particular order from the Governor and Council of their majesties' Colony of the Massachusetts for the same, you may not fail herein. Dated in Portsmouth in the Province of Hampshire, April 30, 1692.

ELISHA HUTCHINSON, *Major.*

By virtue of this warrant, I apprehended said George Burroughs, and have brought him to Salem, and delivered him to the authority there, this fourth day of May, 1692.

JOHN PARTRIDGE,

Field-marshal of the Province of New Hampshire and Maine.

PORTSMOUTH, May 2, 1692.

GENTLEMEN, — I received an order from the Governor and Council to apprehend Mr. George Burroughs, at present preacher at Wells, to be sent to Salem, there to be examined; being suspected to have confederacy with the Devil in oppressing sundry persons about your town of Salem. Accordingly, I have sent him by John

Partridge, Marshal of this Province, except he meet with some other authority that will commit him to some other officer, to be conveyed as above; he pleading, it will be to his damage to go so far.

I am your humble servant, ELISHA HUTCHINSON.

To JNO. HATHORNE OF JONATHAN CURWIN, Esqs., in Salem.

Anno Regis et Reginæ Will'm et Maria,
nunc Angliæ, &c., Quarto.

ESSEX, ss.

The jurors for our sovereign lord and lady, the King and Queen, presents, That George Burroughs, late of Falmouth, within the Province of the Massachusetts Bay in New England, clerk, the ninth day of May, in the fourth year of the reign of our sovereign lord and lady, William and Mary, by the grace of God, of England, Scotland, France, and Ireland, King and Queen, Defenders of the Faith, &c., and divers other days and times as well before as after, certain detestable arts called witchcraft and sorceries wickedly and feloniously hath used, practised, and exercised, at and within the township of Salem, in the county of Essex aforesaid, in, upon, and against one Elizabeth Hubbard of Salem, in the county of Essex, single woman; by which said wicked arts, the said Elizabeth Hubbard, the ninth day of May, in the fourth year abovesaid, and divers other days and times as well before as after, was and is tortured, afflicted, pined, consumed, wasted, and tormented. Also for sundry other acts of witchcraft by said George Burroughs, committed and done against the peace of our sovereign lord and lady, the King and Queen, their crown and dignity, and against the forms of the statute in that case made and provided.

Witnesses: ELIZABETH HUBBARD.

MARY WALCOTT.

ANN PUTMAN.

N.B. [Two indictments for bewitching Mary Wolcott and Marcy Lewis, respectively, are drawn in precisely the same form as the above.]

1st JUNE, 1692.

Abigail Hobbs then witnessed before John Hathorne and Jonathan Corwin, Esqs., that, at the general meeting of the witches in the field near Mr. Parris's house, they saw Mr. George Burroughs, Sarah Good, Sarah Osborne, Bridgett Bishop *alias* Oliver, and Giles Cory, two or three nights ago. Mr. Burroughs came and sat at the

window, and told her he would terribly afflict her for saying so much against him ; and then pinched her. Deliverance Hobbs then saw said Burroughs ; and he would have tempted her to set her hand to the book, and almost shook her to pieces because she would not do it.

Mary Warren testifieth, that when she was in prison in Salem, about a fortnight ago, Mr. George Burroughs, Goody Nurse, Goody Procter, Goody Padderston, Abigail Soames, Goodman Procter, Goodman Darling, and others unknown, came to the deponent ; and Mr. Burroughs had a trumpet, and sounded it : and they would have had this deponent to have gone up with them to a feast at Mr. Parris's. And Goody Nurse and Goody Procter told her, this deponent, they were deacons, and would have had her eat some of their sweet bread and wine. And, asking them what wine that was, one of them said it was blood, and better than our wine ; but this deponent refused to eat or drink with them, and they then dreadfully afflicted her at that time. — Sworn, the 1st of June, 1692, before us,

JOHN HATHORNE, }
JONATHAN CORWIN, } *Assistants.*

Memo. — That, at the time of the taking of this deposition, Goody Nurse appeared in the room, and afflicted the deponents, Mary and Deliverance Hobbs, as they attested ; and also almost choked Abigail Hobbs, as also testified : and Mr. English then ran a pin into Mary's hand, as she attested.

The deposition of Mary Walcott, aged about seventeen years, who testifieth and saith, that on the latter end of April, 1692, Mr. George Burroughs, or his appearance, came to me, whom I formerly well knew ; and he did immediately most grievously torment me, by biting, pinching, and almost choking me, — urging me to write in his book : which I refusing, he did again most grievously torment me, and told me, if I would but touch his book, I should be well ; but I told him I would not for all the world. And then he threatened to kill me, and said I should never witness against him. But he continued torturing and tempting me till the 8th of May ; and then he told me he would have killed his first wife and child when his wife was in travail, but he had not power ; but he kept her in the kitchen till he gave her her death-wound. But he charged me, in the name of his gods, I should not tell of it. But immediately there appeared to me Mr. Burroughs's two first wives, all in their winding-sheets, whom

I formerly well knew ; and told me that Mr. Burroughs had murdered them, and that their blood did cry for vengeance against him. Also, on the 9th May, — being the day of his examination, — he did most grievously torment me during the time of his examination ; for, if he did but look on me, he would strike me down or almost choke me. Also, during his examination, I saw Mr. George Burroughs, or his appearance, most grievously torment Mary Lewes, Elizabeth Hubbard, Abigail Williams, and Ann Putnam ; and I believe in my heart that Mr. George Burroughs is a dreadful wizard, and that he has often afflicted and tormented me and the aforementioned persons by his acts of witchcraft.

Mary Walcott declared this writing to be a true evidence to the Jury of Inquest, Aug. 3, 1692, upon the oath she has taken. *Jurat in Curia.*

William and Mary, by the grace of God, of England, Scotland, France, and Ireland, King and Queen, Defenders of the Faith, &c.

We command you to warn and give notice unto John Peirce and John Lane, that they and every of them be, and personally appear forthwith, at the present Court of Oyer and Terminer holden at Salem, to testify the truth, to the best of their knowledge, on certain indictments exhibited against Mr. George Burroughs.

Hereof make return ; fail not.

Dated in Salem, Aug. 4, 1692, in the fourth year of our reign.

STEPHEN SEWALL, *Clerk.*

To the Constable of Manchester.

Aug. 4. — I have summoned the above-named, that they and each of them [appear] at time and place above written.

By me,

JOHN LEY.

The testimony of Mary Warren, aged twenty years or thereabouts, testifieth and saith, that, some time in July last, Mr. Burroughs pinched me very much, and choked me almost to death ; and I saw and heard him sound a trumpet, and immediately I saw several come to him, — as, namely, Captain Alding, Mrs. Cary, and Goody Pudeater and several others, — and they urged me to go along with them to their sacramental meeting. And Mr. Burroughs brought to me bread to eat, and wine to drink ; which I refusing, he did most grievously torment me, — urging me vehemently to write in his book. Also I have seen Mr. George Burroughs, or his appear-

ance, most grievously tormenting Mary Walcott and Ann Putnam; and I verily believe in my heart, that Mr. George Burroughs is a dreadful wizard, and that he has several times tormented me and the aforesaid persons by his acts of witchcraft.

Mary Warren declared upon her oath, to the Jury of Inquest, that the above-written evidence is the truth. — Aug. 3, 1692.

Mary Webber, widow, aged about fifty-three years, testifieth and saith, that she, living at Casco Bay about six or seven years ago, when George Burroughs was minister at said place, and living a near neighbor to said Burroughs, was well acquainted with his wife, which was daughter to Mr. John Ruck, of Salem. She hath heard her tell much of her husband's unkindness to her, and that she dare not write to her father to acquaint him how it was with her, and so desired me to write to her father that he would please to send for her; and told me she had been much affrighted, and that something in the night made a noise in the chamber where she lay, as if one went about the chamber: and, she calling up the negro to come to her, the negro, not coming, said that she could not come; something stopped her. Then, her husband being called, he came up. Something jumped down from between the chimney and the side of the house, and ran down the stairs, and said Burroughs followed it down; and the negro then said it was something like a white calf. Another time, lying with her husband, something came into the house, and stood by her bedside, and breathed on her: and she, being much affrighted at it, would have awakened her husband, but could not for a considerable time; but, as soon as he did awake, it went away. But this I heard her say, and know nothing of it myself otherwise, except by common report of others also concerning such things. — Salem, Aug. 2, 1692.

MARY WEBBER.

PROVINCE OF THE MASSACHUSETTS BAY IN
NEW ENGLAND.

ESSEX, ss.

The deposition of Thomas Greinslitt, aged about forty years, testifieth, that about the breaking-out of this last war, being at the house of Captain Scottows, at Black Point, he saw Mr. George Burroughs lift and hold out a gun of six-foot barrel or thereabouts; putting the forefinger of his right hand into the muzzle of said gun, and so hold it out at arms'-end only with that finger. And further this deponent

testifieth, that, at the same time, he saw the said Burroughs take up a full barrel of molasses with but two fingers of one of his hands in the bung, and carry it from the stage-head to the door at the end of the stage without letting it down; and that Lieutenant Richard Hunniwell and Mr. John Greinslitt, and some other persons that are since dead, were then present.

Salem, Sept. 15, 1692. — Thomas Greinslitt appeared before their majesties' Justices of Oyer and Terminer, in open court, and made oath that the above-mentioned particulars and every part of them are true.

Attest :

STEP. SEWALL, *Clerk.*

The deposition of Thomas Putnam (aged forty years) and Edward Putnam (aged thirty-eight years), who testifieth and saith, that we have been conversant with several of the afflicted persons, as Mary Walcott, Mary Lewes, Elizabeth Hubbard; and we have seen them most dreadfully tormented; and we have seen dreadful marks in their flesh, which they said Mr. Burroughs did make by hurting them. But on 9th May, 1692, the day of the examining of Mr. George Burroughs, the above-said persons were most dreadfully tormented during the time of his examination, as if they would have been torn all to pieces, or all their bones put out of joint, and with such tortures as no tongue can express. Also, several times since, we have seen the aforesaid afflicted persons most dreadfully tormented, and grievously complaining of Mr. Burroughs for hurting them; and we believe that Mr. George Burroughs, the prisoner at the bar, has several times afflicted and tormented the aforesaid persons by acts of witchcraft.

THOMAS PUTNAM, *Jurat in Curia.*

Voted unanimously, That the thanks of the Society be presented to our associate, Mr. Bowditch, for his very valuable contribution to the archives of the Society; and that the papers presented by him be referred back to the Standing Committee, to be bound with an index.

MR. QUINCY, in presenting "A Plan of the Town, and Chart of the Harbour, of Boston, exhibiting a View of the Islands, Castle, Fort, and Entrances into the said

Harbour," dated Feb. 1, 1775, offered the following remarks; viz.:—

The accompanying map I have found among my papers. Circumstances render it curious, and possibly important. It contains all the islands and the shores of the towns adjoining Boston, apparently with great accuracy as to their relative position. It is plainly published under the patronage of some one who did not apparently understand the spelling of the places in the vicinity. Thus, Roxbury is spelt Roxburgh; Quincy, Quinzey,—which is curious as it is placed on the position of my grandfather's farm when it was in Braintree, and seventeen years before the name of Quincy was given to the place. The ancient sizes of the islands in the harbor are indicated on this plan, as also the still earlier situation of them, by the indications of the former extent, and the lines of sand-banks adjoining. It is dated Feb. 1, 1775,—the very time when General Gage was erecting his fortifications against the Americans. It is certainly curious, may be important; and, if no similar plan exists, may probably be worthy republication in the Society's volumes.

Mr. Quincy requested that the map might be referred to the Standing Committee.

MR. SAVAGE presented to the Society, and read, the first original paper, known to be extant, relating to the outbreak of the Pequot War: being a letter from Jonathan Brewster, dated from the Plymouth House, the 18th of June, 1636; addressed to the Worshipful John Winthrop, Governor of the fort in Connecticut River. The letter is as follows:—

WORSHIPFUL SIR,—Your last kindness with them formerly doth much oblige me to you to requite you according to my poor ability. In the mean time, I rest myself humbly thankful unto you for the

same ; being sorry I was not home when as your men came to my house. Sir, as yet, I have no intelligence from Plymouth concerning the business you spoke to me of, expecting daily ; which, as soon as I hear, I will certify you of their minds. Further, sir, I think it convenient to certify you concerning the Pequots, who continue still in their bloody minds towards the English. For, this week, having occasion to send my man to Mausick, the sachem thereof sent me word, that, upon the 23d of May last, they purposed to cut off our bark after she had done trading with them ; who, for that end, appointed eighty men in canoes suddenly in the night to surprise her : but, by God's overruling power, at the very instant, our men had a fair wind, and so, unknown to them, escaped the danger. And, further, there is reported there, that shortly they intend an invasion both of English and natives in this river. Therefore, sir, it is, as I take it, necessary that you give notice to boats as they pass up and down, not to be too secure : for I will assure you, if you please but to examine some boats, they have not a gun in their boat ; and, if there be any, you shall find them unserviceable. As also, that which I have complained of, many people goeth over land unarmed, to the hearting [heartening] of the enemy. As though we were so strong ourselves, or the enemy so weak, as that it is cowardice to fear any thing ; whereas, in wisdom, all things considered, neither is true. Thus much for present to your worship, lest I should be tedious ; and, with remembrance of my duty to yourself, I take my leave, and rest

Yours to be commanded,

JONATHAN BREWSTER.

From PLYMOUTH HOUSE, this 18th June, 1636.

Voted, That the thanks of the Society be given to Mr. Savage for this interesting relic, and that the letter be referred to the Committee of Publication.

Colonel ASPINWALL offered the following remarks regarding the Narragansett Patent of 1643, tending to show that it never was completed : —

I would call the attention of the Society to a document among the archives at the State House, dated 10th December, 1643, and purporting to be a charter, or patent, from the Par-

liamentary Board of Commissioners for Foreign Plantations, of which the Earl of Warwick was president, granting to the Governor, Assistants, and Freemen of the Massachusetts Company, "a track within the territory of America, called Narragansett Bay, — bordering N. and N.E. on Massachusetts; E. and S.E. on Plymouth Colony; S. on the ocean; and W. and N.W. inhabited by Indians, called Nahigannauks, or Narragansetts, — the whole track extending about twenty-five English miles to the Pequod River and Country."

This document has no seal, either public or private; nor any indication of enrolment or registration. It bears at foot only nine signatures, — Warwick, Manchester, Arthur Hazelrig, Samuel Vassall, Dennis Bond, Miles Corbitt, William Spurstowe, Benjamin Ruddyer, and another (which I could not decipher).*

As the ordinance by which the Board was created required the assent "of the greater number, or more," of the eighteen commissioners of which it consisted, to each of its acts, it is obvious that this pretended charter, signed by only nine, was not legally executed; and consequently was a mere nullity, devoid of all legal force and authority (Mass. Hist. Coll., Second Series, vol. ix. p. 185).

A false importance has sometimes been given to it in these days, by bringing it forward to justify the severities practised by our forefathers upon their weaker neighbors, and to vindicate their repeated usurpations of jurisdiction in the territory in question. But it is not mentioned by Winthrop or Hutchinson.

Roger Williams, in his letter to Mason, says (§ 6), that "some time . . . after our charter from the Parliament, the government of Massachusetts wrote to myself (then chief officer in this Colony), . . . requesting me to exercise no more authority, &c.; for . . . their charter was granted some

* In the opinion of the Hon. James Savage, the signature of Lord Roberts.

weeks before ours. I returned what I believed righteous and weighty . . . to my true friend Mr. Winthrop, the first mover of my coming into these parts ; and to that answer of mine I never received the least reply : only it is certain, that, at Mr. Gorton's complaint against Massachusetts, the Lord High-Admiral, the President, said openly, in a full meeting of the commissioners, that he knew of no other charter for these parts than what Mr. Williams had obtained ; and he was sure that charter, which the Massachusetts gentlemen pretended, had never passed the table (*Mass. Hist. Coll., First Series, vol. i. p. 278 ; 2 Winthrop, p. 220, 13th April, 1645*).

It is now quite clear that Roger Williams's account of the matter is indisputably true. An imperfect instrument, like this pretended charter, was not presentable, and could not have passed the Board. The probable reason for Winthrop's silence respecting it in his journal was his consciousness of its worthless character.

Mr. ROBBINS presented, as a donation from Rev. Jared M. Heard of Clinton, Mass., a bundle of original manuscripts connected with the trial of persons accused of being concerned in the burning of the convent at Charlestown.

Mr. SAVAGE announced in appropriate terms the decease of Sylvester Judd, Esq., of Northampton, Mass. ; and of Samuel Jennison, Esq., of Worcester, — the former a resident member of this Society : and presented copies of two newspapers, containing, the one, an obituary notice of Mr. Judd ; and the other, of Mr. Jennison.

Mr. PAIGE communicated the following tribute to the memory of Mr. Judd : —

Sylvester Judd, Esq., was born at Westhampton, 23d April, 1789. His father, Sylvester Judd, was son of Rev. Jonathan Judd of Southampton, who died 28th July, 1803, at the age of eighty-three, after a ministry of sixty years. His first American ancestor, Thomas Judd, was an early inhabitant of Cambridge; and, in 1635, resided nearly, if not exactly, on the spot since rendered memorable as the headquarters of Washington, — now the residence of our associate, Professor Longfellow. He removed with Mr. Hooker's congregation to Hartford; and, about ten years afterwards, was one of the first settlers of Farmington, where he was deacon of the church, and deputy to the General Court. About 1679, he removed to Northampton; and died there, 12th November, 1688. A monument was recently erected to his memory, in the Northampton Cemetery, by his descendant, our late associate, whose own body has since been deposited under its shadow.

Mr. Judd enjoyed no special advantages in his youth. He attended the common schools only until he was thirteen years old, when he became a clerk in his father's store; yet, by devoting his leisure to study, — frequently, also, encroaching on the hours ordinarily allotted to sleep, — he acquired such knowledge of the Greek, Latin, French, and Spanish languages, as enabled him to read them with tolerable convenience. But his taste led him chiefly, even from boyhood, to historical investigations, especially in regard to the early transactions in New England; and to such investigations he devoted a large portion of his life. Abandoning the business of a country merchant, which he had successfully conducted for ten or twelve years in his native town, he purchased, in 1822, the "Hampshire Gazette," then and now published in Northampton; to which place he removed. His new business was somewhat congenial to his taste; and the columns of his paper, for the thirteen years during which he was its editor as well as proprietor, bear witness to his diligence, and

exhibit some of the fruits of his favorite studies. He retired from the "Gazette" in 1835, having more than doubled its list of subscribers; assigning this characteristic reason for his retirement: "The truth is, I have become too sceptical in politics to be the conductor of a public press. I have but little confidence in politics, parties, and politicians." Subsequently, almost his whole time was devoted to his favorite studies; or, as he modestly says of himself in the "Judd Genealogy," he was "more employed in historical and genealogical researches than in any thing else." The time devoted to the arrangement of the public archives of Connecticut can scarcely be regarded as withdrawn from study: for among them he found and preserved many materials for the historical work which he contemplated; namely, a "History of the Connecticut Valley generally, and of Northampton and the neighboring Towns in particular." His collections for this purpose are said to fill about seventy-five volumes, containing probably fifteen or twenty thousand folio pages; but, like many others, he postponed the execution of his ultimate purpose, as his preparation was not so complete as he desired. I am not aware that he published the results of his investigations, except in the columns of his paper, and in a pamphlet of one hundred and twelve pages, 1856, entitled "Thomas Judd and his Descendants." Yet his labor was not in vain; for he freely contributed from the abundance of his treasures to his friends, whose public acknowledgments have frequently testified their indebtedness and their gratitude to him. About three years ago, however, at the urgent solicitation of his co-workers in this field of literature, he commenced the "History of Hadley;" doubtless designed as the first of a series of town-histories. Of this work, about four hundred and fifty pages had been printed when its author was struck down by paralysis. Less than a week afterwards, on the 18th of April, 1860, he departed this life, leaving an aged widow and several children. His son, the late Rev. Sylvester Judd,

of Augusta, Me., favorably known as an author, had died about seven years previously.

In recognition of his ardent and successful devotion to historical studies, Mr. Judd was elected a member of this Society in April, 1848. He duly appreciated the honor; but the distance of his residence prevented a frequent attendance on our meetings. Indeed, it is doubtful whether he was personally known to all our associates: but some of us knew him well; and I can confidently say, that all who knew him both respected and loved him. His deportment was gentlemanly, and his moral character as nearly spotless as may be expected among those who dwell in the flesh. Among all my acquaintances, I have scarcely known a more modest and unassuming, a more genial and companionable, or a more reverent, conscientious, and pure-minded man. His memory will be lovingly cherished by all who had the privilege to become thoroughly acquainted with him.

The Presiding Officer nominated Mr. Savage to prepare the customary memoir of Mr. Judd for the Society's Collections.

A letter was read from Octavius Pickering, Esq., requesting permission to examine the papers of the late General Heath, and other manuscripts, with a view to a memoir of Colonel Timothy Pickering.

An application was also made by Richard Cary Morse for the privilege of copying certain letters, which were specified by him, in order to further his purpose of preparing a memoir of his father, — Rev. Dr. Morse, of Charlestown.

These requests were referred to the Standing Committee, with authority to comply with them to the full extent allowable under the rules of the Society.

JUNE MEETING.

A stated monthly meeting was held this day, Thursday, June 13, at noon. In the absence of the President and the Vice-Presidents, the meeting was called to order by the Recording Secretary, and the Hon. Judge WHITE was requested to occupy the chair.

The Librarian announced donations from the American Antiquarian Society, the Chicago Historical Society, Essex Institute, New-Jersey Historical Society, New-York State Library, Peabody Institute, Ulster Historical Society, and Yale College; from Martin Paine, M.D.; J. S. Homans, M.D.; Hon. Theron Metcalf; and from Messrs. Brigham, Green, Lamson, Lowell, Mason, Robbins (C.), and Sibley, of the Society.

The Corresponding Secretary read a communication from the Chicago Historical Society, and also from Henry B. Dawson, Esq., of Morrisania, N.Y. The latter communication was referred to the Standing Committee.

The Cabinet-keeper communicated the following letter from Rev. E. M. Stone, of Providence, R.I.; accompanying, and presenting to the Society, a small quantity of earth and other relics taken from the graves of Roger Williams and his wife; together with a copy of the "Providence Journal," containing a paper read by Z. Allen, Esq., before the Rhode-Island Historical Society, relating to Roger Williams, and the exhumation of his remains, March 22, 1860; and a map showing the location of his residence and burial-place:—

PROVIDENCE, May 22, 1860.

To the Librarian of the Massachusetts Historical Society.

DEAR SIR, — I herewith transmit, for the acceptance of the Massachusetts Historical Society, the following articles : —

1. A copy of the "Providence Journal," containing a paper read by Z. Allen, Esq., before the Rhode-Island Historical Society, relating to Roger Williams, and the exhuming of his remains, March 22, 1860.

2. A map showing the location of the residence and the burial-place of Roger Williams.

3. A stone taken out of the grave of Roger Williams.

4. Earth taken out of the grave of Roger Williams.

5. Earth taken from the bottom of the grave of the wife of Roger Williams, in which is mingled the dust of her remains.

6. A nail from the coffin of the wife of Roger Williams ; the coffin being entirely decayed, with the exception of a few fragments, and the nails left in the earth. The nail, as will be perceived, is very much corroded ; and, upon slight pressure, crumbled.

The exhumation of these remains excited a deep interest among the citizens of Providence, and resulted in the adoption of measures for the erection of a monument to the memory of the founder of the State. This object was long a cherished one with the late venerable John Howland, the second President of the Rhode-Island Historical Society, who, many years previous to his decease, made an earnest effort to effect it ; but the propitious time had not arrived, and his effort proved unsuccessful. He had studied, more thoroughly, perhaps, than any man living, the character, policy, and services of Williams ; and was anxious for a suitable recognition of him as a statesman, and an undaunted advocate of entire freedom "in religious concerns." It is reserved for others to do a work in which he, at the time referred to, engaged ; and, were he living, none more than he would rejoice in the present prospect of its achievement.

In presenting these relics to your Society, I am reminded that its honored President is descended from one who thoroughly estimated the moral worth of the subject of these remarks ; and who, through all his troubles in Massachusetts and to the close of life, remained his steadfast friend. The joint proprietorship of a beautiful island in Narragansett Bay brings them both distinctly, and at the same

time, before the mind's eye. Could the mutual private services of these noble men be written, — services known to few in their day, — the facts revealed would show how much beyond common supposition were both Massachusetts and Rhode Island indebted to them, as they would also impart freshness to the perennial wreaths that encircle the names of John Winthrop and Roger Williams.

Very respectfully your obedient servant,

EDWIN M. STONE.

On motion, the letter of Mr. Stone was, after some expression of opinion on the part of the members adverse to the encouragement of the practice of disturbing the sepulchres of the dead, referred to the Standing Committee, with instructions to take into consideration the propriety of receiving, or declining to accept, the relics offered by Mr. Stone, and to prepare a suitable reply to his communication.

Mr. EVERETT presented a volume in manuscript, — containing an account of the revolution in St. Domingo in 1791, together with sketches of St. Domingo from January, 1785, to December, 1794, — written by the late S. G. Perkins, Esq., in the form of letters addressed to the late Franklin Dexter, Esq., never printed; a gift from Stephen H. Perkins, Esq., the only surviving son of the writer, coupled with the request, that the contents of the volume should not be made public without the consent of the donor.

Voted, That the thanks of the Society be presented to Stephen H. Perkins, Esq., for his very valuable and interesting donation to the library.

James M. Robbins, Esq., of Milton, and Charles Eliot Norton, Esq., of Cambridge, were elected Resident Members.

JULY MEETING.

A stated monthly meeting was held this day, Thursday, July 12, at noon. In the absence of the President and Vice-Presidents, the Hon. NATHAN APPLETON was chosen to preside.

In the absence of the Librarian, the Recording Secretary announced donations from the American Philosophical Society; the Chicago Historical Society; the Connecticut Historical Society; New-Hampshire Asylum for the Insane; Department of State of the United States; B. P. Johnson, Esq.; Hon. Theron Metcalf; C. W. Frederickson, Esq.; Hon. S. G. Arnold; Hon. William Baylies; Rev. E. S. Gannett, D.D.; S. H. Grant, Esq.; C. L. Flint, Esq.; Hon. Henry Wilson; and from Messrs. Green, Quint, Robbins (C.), Sabine, and Webb, of the Society.

The Cabinet-keeper presented small articles, for the cabinet, from several donors.

The Corresponding Secretary communicated a letter from the New-Hampshire Historical Society, requesting the donation of several volumes of the Collections, to complete their set. Referred to the Standing Committee.

The same officer read a letter of acceptance from Charles Eliot Norton, Esq., and also a letter from C. W. Frederickson, Esq., asking the Society's acceptance of several valuable manuscripts and other works. Among the manuscripts is the following letter:—

William Bradford, D.M.M. General, to Colonel Richard Varick.

VALLEY FORGE, April 16, 1778.

SIR,—A few days before your letters of the 23d and 28th ultimo arrived here, Colonel Ward set out for Boston. Agreeable to his

orders, they were delivered to me ; though not till they had been several days in camp, or I should have done myself the pleasure of acknowledging the receipt of them by the express.

Your observations respecting the propriety of Congress making the muster-master a compensation for the extraordinary expenses to which he is subject in the execution of his duty, are perfectly just. I wish the gentlemen at Yorktown were as sensible of the inconveniences to which their parsimony has exposed us as you and I are. But, instead of making provision for such contingencies, the rations which they allow the officers of the department (the head of it excepted) are totally disproportionate to their rank and pay. Were the deputy muster-masters allowed four rations instead of two, I think, as they are now rated, it would, in general, prevent their being "injured by their office." Their forage expenses will no doubt be paid, if they are not extravagantly high. The commissary of forage in this department has always shown a readiness to refund me any reasonable sums which I expend on my horses. The army in this quarter has been so compact, that my deputies, residing constantly with their divisions, have seldom been subject to greater expenses than the rest of the officers ; otherwise Colonel Ward would have made application to Congress for relief. But he was unwilling to call their attention to this matter till he could suggest, that his officers not only might, but really did, suffer for want of a more generous salary, or a proper provision for extraordinary contingencies.

You mention, that, at the last muster of Hazen's Regiment, soldiers not joined were returned on furlough ; and those doing duty, and enlisted in other regiments, on command. Both these were contrary to the directions given by the officer of musters, and to the orders frequently issued by the General. To make such a return, indicates either a gross inattention to orders, or a disingenuous attempt to impose on the muster-master. You may well be surprised at the numbers returned sick in hospital. I have met with many instances where men have been borne on the rolls several months after they were dead, or discharged from hospital ; no returns being made by the surgeons. I have more than once, though without any authority for so doing, directed a number, who had not been heard of for a considerable time, to be struck off. I frequently reported this matter to Colonel Ward, who as often mentioned it to the General. His excellency attempted to remedy the inconvenience by ordering

immediate and complete returns from the hospitals ; but the removal of the sick from place to place, the loss of some hospital-books, and other circumstances, prevented those returns from answering the end intended. He has now sent a general officer round to the different hospitals ; and, when he returns, I expect that orders will be given to strike off all those who cannot be heard of.

As to prisoners, Colonel Ward, in his printed instructions, directs, that, having been once returned, they are not to be inserted in any subsequent roll until they join their regiment ; in which case, the time of their capture, and that of their return, are to be mentioned. The reason is, that Congress has directed that prisoners should be made up in the pay-roll to the day of their being taken, and not drawn for again until they return from confinement ; and, as the muster-roll is intended to govern the pay-roll, Colonel Ward conceived there was a propriety in making them agree.

In your last returns, I observe that you have not inserted the time for which the men are enlisted. This, Colonel Ward has directed, should be constantly done ; and the want of it in the regimental abstracts from your department will prevent its being inserted in the general abstract as usual. Thus much for business.

As to news, I wish I could inform you of our being in a condition to give the enemy *their quietus*. Our re-enforcements arrive slowly. The Southern States, I fear, will not deserve the praises which have been lavished on them ; and this part of the continent has made no exertions adequate to the exigencies of the times. The success at Saratoga, which should have inspired our ambition and industry, has operated as an opiate, and lulled us to sleep. The enemy here are in no condition to make a vigorous push : they will be content to remain unmolested. Strange that such powers as Britain and America, contending for such objects as dominion and freedom, should have such contemptible armies in the field !

General Howe will sail for England in a few days, and Harry Clinton will command at Philadelphia. I am not well enough acquainted with Clinton's character to know whether this circumstance will be in our favor or against us.

I am, sir, your very humble servant,

WILL. BRADFORD, Jun., *D.M.M. General.*

P.S. — Colonel Ward will return to camp about the middle or end of next month.

W. B., Jun.

Voted, That the thanks of the Society be presented to Mr. Frederickson for his valuable and interesting contribution to the library.

The Standing Committee, to whom the letter of Mr. Stone, of Providence, offering relics taken from the grave of Roger Williams, was referred, reported through their chairman the following reply: —

REV. EDWIN M. STONE.

SIR, — The Massachusetts Historical Society have the honor to acknowledge your letter of the 22d of June, and return you their thanks for your present of the "Providence Journal" containing a highly interesting paper read by Z. Allen, Esq., before the Rhode-Island Historical Society, relating to Roger Williams, and the exhumation of his remains; and of a map showing the site of his residence and burial-place. With regard to four other articles kindly offered by you, while we all share your desire to do honor to that early and venerated champion of civil and religious liberty, Roger Williams, it appears, nevertheless, to be the prevailing opinion of the members of the Society, that it would be a departure from the nature and design of their institution to become the depository of sepulchral relics, which, independently of collateral proof, like other substances of the kind, have no special significance to awaken the remembrance of the dead; and, what is more material, do not in any sense illustrate, or bear any relation to, the proper subjects of history, — the characters and actions of living men.

While acknowledging, therefore, the kind motive which led you to forward these (to you) valuable and interesting relics, the Society feel bound to add, that they cannot undertake to guard them with that care which other better authenticated and more appropriate memorials of the past always claim at their hands.

(Signed)

CHARLES DEANE,
Chairman of Standing Committee.

22d JUNE, 1860.

Voted, That the letter of the Standing Committee to Mr. Stone be accepted, as embodying the views of the Society; and that a copy of the same be sent to him by the Librarian.

Mr. ELLIS reported the success of a commission intrusted to him some few years ago, relating to certain Belknap papers written between the years 1779 and 1798; and expressed the opinion, that these papers would ultimately come into the possession of this Society, and probably at no very distant period.

AUGUST MEETING.

A stated monthly meeting was held this day, Thursday, Aug. 8, at noon. In the absence of the President and Vice-Presidents, the Hon. NATHAN APPLETON was chosen to preside.

In the absence of the Librarian, the Recording Secretary announced donations from the Chicago Historical Society; Connecticut Historical Society; Massachusetts Colonization Society; Mercantile-Library Association of New York; Royal Society of Northern Antiquaries; Miss Frances Clark; Dean Dudley, Esq.; J. N. Carrigan, Esq.; Hon. Charles T. Russell; Rev. E. M. Stone; and from Messrs. Everett, Green, Robbins (C.), Sibley, Webb, Wheatland, and Whitney, of the Society.

The Cabinet-keeper presented a half-crown stamp as a gift to the cabinet, from T. B. Lawrence, Esq.

Mr. SOMERBY, a Corresponding Member, communicated the following extracts which he had copied from

the log-book of the ship "Preston," preserved in the Admiralty Office in London, relating to incidents which occurred at and near the period of the battle of Bunker Hill:—

The "Preston's" Journal in Boston Harbor.

Moderate and fair. At seven, P.M., sent the boats, manned and armed, to the "Boyne," to wait for orders. At two, A.M., they returned, after having transported a number of troops up Cambridge River.

1775.
APRIL.
Wednesday, 19.
W. S. W.

Fresh gales and cloudy. At half-past four, P.M., made the signal for all lieutenants. At half-past five, hoisted a red flag at the main-topmast-head, and fired a gun, as a signal for all the marines in the fleet to repair on board the "Somerset." All the boats employed in transporting the troops who had been out over to Boston, and carrying the marines and third brigade from thence over to Charlestown. At eleven, P.M., the "Falcon's" boat brought on board two of the rebel party. A.M., heard the king's troops engaging the rebels. At noon, made the signal for all boats manned and armed to attend on board the flag.

Thursday, 20.
S. W.

W'y.

S. W.

W'y.

Moderate and cloudy. Sent the boats to bring back the marines and third brigade from Charlestown to Boston and the ships. A.M., at six, unmoored and warped a cable's-length further to the northward, where we moored again, and clapped a spring on both cables. A.M., the gunboat brought four prisoners from the main guard, who were taken in the late skirmish between the king's troops and the rebels.

Friday, 21.
W'y.

Light wind. At eight, P.M., sent a boat up the Mystic River to reconnoitre.

Tuesday, 25.
N. W'y.

Moderate and fair. Heard several volleys of small arms fired during the night.

MAY.
Wednesday, 16.
S. W.
N. W.
Saturday, 27.
S'y.

Moderate and fair. Painters employed on board. At two, P.M., saw a number of rebels on Noddle's Island destroying the hay; and made the signal for landing the marines, and sent the "Diana" schooner round to cut off their retreat. She went as far as there was water; but the marines drove them off the island. The rebels kept a constant fire on the "Diana" from Hog Island and the main, which she returned with great spirit. At seven, she got all the boats ahead to tow her. The rebels kept a constant fire on the boats;

Calm.

S'y.

which at last became so warm, they were ordered to cast off. Unfortunately for her, a breeze sprung up, which set her in upon the rebels' shore. Notwithstanding all these circumstances, she was defended with great spirit until the tide quitted her. She fell on her beam-ends, so that it was impossible any longer to stand the deck.

Sunday, 28.
S'y.

Moderate and fair. The officers and people retreated to the "Somerset" tender, which lay there for that purpose. At three, A.M., the tide having left her quite dry, the rebels boarded, plundered, and set her on fire, but not without a few grape-shot from the tender who was yet close by. The marines took post on the island for that night, and, when all was over, were re-enforced with two hundred men from the garrison. The tender, after seeing no possibility of saving the "Diana," slipped, and came up the harbor. At twelve, the "Cerberus's" quarter-deck guns were sent to the island; and, at six, two field-pieces from the garrison. They fired several times at the rebels on the continent.

Calm.

Monday, 29.
S. W.

Light airs, and fair. Made the signal for all boats, and sent them to take the marines off Noddle's Island.

Wednesday, 31.
S'y.

Light airs. P.M., a number of rebels came, and set fire to a dwelling-house on Noddle's Island; fired several shots to prevent their destroying our stores. A.M., made the signal for all boats manned and armed; with which, and a party of marines, we brought away all our stores, except the casks, staves, &c.

JUNE.

Thursday, 1.
N. W.

Fresh breezes, and clear. Employed in securing the stores taken from the island. A.M., the rebels burnt the storehouse, and with it sixty butts, forty puncheons, thirty-six hogsheads, and six hundred butt and three hundred puncheon staves, with four hundred iron hoops.

Saturday, 3.
W'y.

Light airs, and fair. Fired several times at the rebels, to prevent their intrenching on the island.

Saturday, 10.
S'y.

Light airs, and calm. A.M., sent for the "Cerberus's" quarter-deck guns, and surveyed her ammunition. At four, A.M., we observed the rebels were intrenching upon a hill which commanded Boston. The "Lively" and "Glasgow" kept firing upon their works, as also the North Battery, with shot and shell; which lasted till noon, when we made the signal for all boats manned and armed.

West.

Sunday, 18.
W'y.

Light airs, and calm. At one, P.M., the boats of the men-of-war and transports repaired to the different wharves to embark the troops, and ferry them over; which was done on the west side Mystic River. The "Lively," "Glasgow," "Falcon," the "Symmetry" transport-

S'y.

sloop, and an armed sloop, kept a continual fire upon the rebels, to assist the landing. At three, the troops being formed, advanced towards the rebels' works; which, after sustaining a prodigious loss of officers and men, got possession of. Boats employed bringing back the wounded officers and soldiers.

N'y.

Several cannon-shots exchanged between the rebels at Roxbury and our lines.

SEPTEMBER.
Sunday, 17.
S'y.

Do. do.

18.

Do. do.

S'y.

19.

This twenty-four hours, many guns have been fired from Charlestown Neck, &c.

22.

The rebels landed on Governor's Island, and set fire to a dwelling-house, &c.

26.

Heard several guns fired at Castle William; sent the gunboat and cutter toward the castle. At two, P.M., the gunboat returned. Rowed guard as usual.

OCTOBER 20.

Dr. HOLMES gave a verbal account of a visit recently made by him, while at Salem, to an old house on Witch Hill, which tradition says was built of timber originally used in the frame of the first house of public worship erected at Salem. Having quoted the following note in Palfrey's "History of New England," vol. i. p. 187, — "We collect here and there a hint as to the construction of the houses. A storm on the 4th of February 'caused much daubing of our houses to fall down' ('Mourt,' 30); this was the clay, or other earth, which filled the chinks between the logs," — Dr. Holmes exhibited a fragment of the plastering which he had found at the house in question, made of clay and straw; and observed, that it was undoubtedly a specimen of the "daubing" used by the first settlers of New England. He then offered a few remarks on the architecture of the Pilgrims; which led to an animated conversation, in which several of the members participated.

Dr. WEBB read extracts from the "Newport Mercury" of 1796, with a view especially of showing the laboriousness of the newspaper editors of that day, and the variety of information they were able to procure from a comparatively limited field.

Mr. LIVERMORE called attention to some traditions concerning Oliver Cromwell. One of these — the command to his soldiers to "trust in the Lord, and keep the powder dry" — has lately been attributed, though, he believed, without any foundation, to our own Captain Miles Standish. When and where the words were first used, no contemporary or late writer had stated. Another tradition had reference to the use of the Bible in Cromwell's army. It has often been asserted, and generally believed, that every soldier carried with him, during the civil wars, a copy of the Bible. Bibliographers have in vain endeavored to ascertain what particular edition of the Bible was printed for this purpose. It is not unusual to see on the catalogues of London booksellers some edition, printed between the years 1643 and 1658, advertised as Cromwell's "Soldier's Bible," and offered at a high price. It had, however, lately been settled, by the accidental discovery of a little pamphlet of sixteen pages, that all the conjectures of bibliographers had been incorrect, and that, instead of the Bible, it was a *biblical tract*, prepared for the purpose, which the army used. Only two copies of this curious little work are now known to be extant. One of these is in the library presented to the British Museum by George III.: the other is in the possession of Mr. Livermore, who exhibited it to the Society. The titlepage is as follows: viz., —

"The Souldiers Pocket Bible; containing the most (if not all) those places contained in holy Scripture which doe shew the qualifications of his inner man, that is a fit Souldier to fight the Lords Battels, both before he fight, in the fight, and after the fight: which Scriptures are reduced to severall heads, and fitly applyed to the souldiers severall occasions, and so may supply the want of the whole Bible, which a souldier cannot conveniently carry about him; and may bee also useful for any Christian to meditate upon now in this miserable time of warre.

Imprimatur, Edm. Calamy.

"Jos. 18. — 'This Book of the Law shall not depart out of thy mouth; but thou shalt meditate therein day and night, that thou maist observe to doe according to all that is written therein: for then thou shalt make thy way prosperous, and have good successe.'

"Printed at London by G. B. and R. W. for G. C., 1643."

SEPTEMBER MEETING.

The Society held their stated monthly meeting this day, Thursday, Sept. 13, at twelve o'clock, M.; the President, Hon. ROBERT C. WINTHROP, in the chair.

The Librarian announced donations from the American Antiquarian Society; Essex Institute; New-York State Agricultural Society; Smithsonian Institution; George Livermore, Esq., as executor of Thomas Dowse; Hon. S. H. Walley; Mrs. William T. Harris; Winthrop Sargent, Esq.; John Bartlett, Esq.; Mrs. Sarah B. Putnam; Miss Mary E. Pettes; Rev. E. M. Stone; T. Bigelow Lawrence, Esq.; Miss Ann D. Bartlett; D. C. Gilman, Esq.; Alfred Poor, Esq.; Hon. J. G. Palfrey; William Durrant Cooper, Esq., of London; Rev. E. A. Park, D.D.; Hon. Theron Metcalf; George

Arnold, jun. ; and from Messrs. Adams, Deane, Green, Robbins (C.), and Warren, of the Society.

After the usual introductory business of the meeting had been completed, the President remarked as follows : —

I am sure you will pardon me, gentlemen, for occupying a very few moments of your time, on resuming the chair this morning, in expressing the great pleasure with which I find myself once more among you, and in offering you my grateful acknowledgments for your long indulgence. Could I have foreseen so protracted an absence from my post, when I left you fifteen months ago, I should certainly have made my resignation of the presidency absolute, instead of merely leaving it, as I did, in the discretion of the Standing Committee. But I have been detained abroad, as you know, by circumstances beyond my control, and which were of a nature to defeat all previous arrangements and calculations. Meantime, I have rejoiced to be assured that the Society has suffered nothing from any default of my own ; that our excellent Vice-Presidents (to whom I acknowledge a special debt) have more than supplied my place ; and that the practical business of the Society has been carried along by the Standing Committee in a manner to leave nothing to be regretted. The completion of our printed Catalogue in two noble volumes, and the publication of a second beautiful volume of our Proceedings, during the past year, would alone be enough to prove that there had been no want of diligence and devotion on the part of those to whom these labors have been intrusted. It has given me peculiar pleasure to be the instrument of placing not a few of these volumes, as well as others of our recent publications, in public and private libraries abroad, where I have the best reason to know they have been appreciated ; and I hope, from time to time, to be able to exhibit the fruit of this distribution in valuable returns to our own library. Nor have I wholly

failed in securing some interesting additions to our manuscript collections, which may hereafter furnish the material of a more deliberate communication. My return home has been too recent to allow of my entering into details to-day.

I must not, however, conclude these informal remarks, without assuring you of the deep interest and sympathy with which I have observed the tributes which you have again and again been called on to pay to those whom we have lost from the roll of our Resident or Honorary Members. I cannot forget that more than one of those most honored and most beloved, at home and abroad, have passed from these earthly scenes and associations since I last had the pleasure of being with you. But I may well congratulate you also, that so many of our most familiar faces, and so many of our most venerable forms, are still spared to us. In the new edition of the "History of Harvard University," and in the two elaborate volumes of the "Genealogical Dictionary of New England," which have been published during my absence, we have unequivocal and welcome assurance, that neither of our two honored senior members have yet pleaded that exemption, which they have long ago earned, from their historical labors and researches. For myself, I can only assure you, gentlemen, that I resume my relations to this Society with renewed interest in its welfare; and that I shall eagerly co-operate once more, in every way in my power, in promoting the objects which it has so long and so successfully pursued.

The President communicated a letter from Samuel Hazard, Esq., of Philadelphia, relating to a rare old Boston almanac printed in 1743.

The President laid before the meeting the first proof-sheet of a calendar of all the papers in her Majesty's State-paper Office relating to the early history of America and the British Colonies down to 1688. He

also read a letter addressed to him by W. Noel Sainsbury in reference to the Colonial series of State-paper calendars upon which that gentleman is now engaged by order of the British Government, and requesting the Massachusetts Historical Society to lend its influence in behalf of his proposals to the United-States Government to continue these calendars, so far as they relate to America, from 1688 to 1783.

This communication was referred to the Standing Committee.

Mr. PAIGE communicated the following paper, giving an account of six folio account-books which had once belonged to Harvard College, and which he had recently found in the library of a deceased neighbor: —

Several months ago, I found, in the library of a deceased neighbor, six folio account-books, which had manifestly once belonged to Harvard College, but which came honestly into my venerable neighbor's possession. At my request, and with the consent of the family, the books have since been returned to the rightful owners. One of these volumes contains the steward's accounts with the corporation, and with the several officers and students, from 1649-50 to 1659: the other five are of a similar character, and embrace the period between 1703 and 1749. The most ancient volume is the most interesting, both because it exhibits the financial affairs of the college at the earliest date, and because the most minute details enter into the accounts. I shall not attempt a full description of this volume; but a few facts may not be uninteresting.

The first circumstance which attracts attention is the moderate cost of a four-years' residence in college. Of those who graduated from 1653 to 1659 (the only classes whose

whole account is embraced in this volume), the total expense ranged from £30. 2s. 1½d. to £61. 11s. 8¾d.; or from about \$100 to about \$200. During the same period, it should be observed, the price of wheat was five shillings per bushel; of barley and malt, four shillings and sixpence; of rye and pease, four shillings; and of Indian corn, three shillings. On his admission, each student was charged about three pounds for "the income of his study," and fifteen shillings for "his room in the gallery." This was the uniform charge for gallery-room, and about the average charge for the study; but, in addition to this, the term-bills always included "study-rent," at a moderate price. On his departure, a charge was made, generally about two pounds,—entered as "commencement-charges;" and, not unfrequently, a present appears to have been bestowed on the president. As an illustration of the ordinary character of college-expenses at that period, I have copied the charges, for his junior year, against Thomas Graves, of the class of 1656:—

		£	s.	d.	gr.
8, 10, 54.	Commones and sizinges	2	8	9	2
	Tuition, 8s.; study, rente, and beed, 4s.; fyer and candell, 2s.		14	0	0
	Fower loode of wood		17	4	0
9, 1, 54-5.	Commones and sizinges	2	16	10	0
	Tuition, study-rente, and beed		12	0	0
	Wood, one load, one jagge		6	6	0
8, 4, 55.	Commones and sizinges	2	9	11	0
	Tuition, 8s.; study-rente, 2s.; by beed makinge, 1s. 9d.		11	9	0
7, 7, 55.	Commones and sizinges	1	12	7	2
	Tuition, 8s.; study-rente and beed		11	7	0

It is curious also to observe how small a proportion of this small expense was defrayed in cash. In many cases, scarcely a shilling was paid in money; but all articles which could be used by the steward in providing commons for the scholars, and many which could not be thus used, were received in barter for instruction. Beef, veal, pork, mutton,

poultry, grain of various kinds, malt, eggs, butter, cheese, apples, cider, fuel, candles, cloths, leather, shoes, and such like articles, abound in the account of receipts. Occasionally, but seldom, tobacco and strong waters were received. Cattle were received alive, and slaughtered for use. Cloths were manufactured into garments, and leather into shoes, for such scholars as had need. As a sample of such payments, take the account of the same Thomas Graves, a son of comparatively rich parents, whose whole expenses in college were far above the average; being £61. 11s. 8½d. for the four years. Of this amount, only £6. 6s. were paid in money; and the balance (according to the order in which the articles are first named in the account) in wheat, malt, pease, rye, sugar, hollands, boards, canvas, lockram, nails, eggs, butter, spice, commodities, buttons, candles, honey, turkeys, serge, ribbon, and silk.

This ancient volume is interesting, moreover, because it discloses the name of a steward, Deacon Thomas Chesholme, whose ten-years' stewardship had fallen into oblivion. The volume commences in 1649-50; so near the period of Matthew Day's death (1649), that it must be regarded as the account of his immediate successor. The accounts are in the same handwriting throughout, and the writer is identified by a characteristic balancing of the steward's account with the corporation.

	£	s.	d.	qr.
The steward was creditor, as appears on the other side,				
folio 295, at the 5, 10, 56.	166	2	9	1
Creditor from 5, 10, 56, to the 6, 1, 56-7, as appears on				
the other side.	34	12	6	2
Both sumes is.	200	15	3	3
Debitor as above.	18	6	2	2
Restes dew to the steward att 6, 1, 56-7.	182	9	1	1
Per me, THOMAS CHESHOLME; to whom the abovesayd	£182.	9s.	1d.	1qr.
is dew.				

The close of his stewardship is indicated with sufficient accuracy by another entry in the volume, equally characteristic. In John Wyborne's account, next after the date of 24, 9, 59, is the following:—

"April 6. — Memorandum, that I paid for John Wiborne to Brother Cheeseholme the sume of five pound and ten shillings. I say, received and paid for him by me, Charles Chauncy.

"Item. — Thomas Wiborne hath satisfyed of his debt for his brother to the colledge, and to the new steward, Ensigne Shermā, the sume of foure pound ten shillings. — By me, Charles Chauncy."

This volume contains many other interesting matters; but I have already trespassed sufficiently on your patience. I will only add, that I am very happy to have been instrumental in the recovery of this and the other volumes mentioned, and in their return to the college, from which they had probably been absent more than a hundred years.

Liberty was granted to Dr. Holmes, at his written request, to make certain extracts from the manuscript Diary of Sir Henry Franckland, for the illustration of a narrative poem written by himself.

A request from Winthrop Sargent, Esq., for permission to make transcripts of certain letters in the Heath Collection of Manuscripts was granted under the rules.

OCTOBER MEETING.

A stated monthly meeting was held this day, Thursday, Oct. 11, at noon, in the Dowse Library; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Chicago Histo-

rical Society; the Connecticut Historical Society; the State Historical Society of Wisconsin; the New-York State Agricultural Society; Hon. Theron Metcalf; Lord Arthur Hervey; and from Messrs. Green, Robbins (C.), Webb, Whitney, and Winthrop, of the Society.

The President presented to the Society, in behalf of Count Adolphe de Circourt, their author, several valuable publications. He also presented a number of books and pamphlets which he had procured for the library of the Society during his stay in Europe.

The President stated that he had found in Europe, and now presented to the Society, certain legal documents relating to the celebrated case of *Phillips vs. Savage*, heard on appeal from the Province of the Massachusetts Bay, in 1737, before the Judicial Committee of his Majesty in Council.

[The marginal indexes are by the authors of the respective documents. The notes at the bottom of the pages are, in each case, criticisms in manuscript by the opposing counsel.]

MASSACHUSETTS BAY.

GILLAM PHILIPS, Esq., brother and heir-at-law of HENRY PHILIPS, deceased, *Appellant*.

HANNAH PHILIPS, widow; HABIJAH SAVAGE, and HANNAH his wife; ARTHUR SAVAGE, and FAITH his wife; and the representatives of MARY BUTLER (the said HANNAH PHILIPS being the mother, and the said HANNAH SAVAGE, FAITH SAVAGE, and MARY BUTLER, the sisters, of the said HENRY PHILIPS, deceased), — *Respondents*.

THE APPELLANT'S CASE.

Charter of the
Massachusetts
Bay.

By the charter of the Massachusetts Bay, power is given to the Governor and Assembly to make laws in the following words: —

“And we do further, for us, our heirs and successors, give and grant to the said Governor, and the Great and General Court, or Assembly, of our said Province, or Territory, for the time being,

full power and authority from time to time to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes and ordinances, directions and instructions, either with penalties or without (so as the same be not repugnant or contrary to the laws of this our realm of England), as they shall judge to be for the good and welfare of our said Province, or Territory, and for the government and ordering thereof, and of the people inhabiting or who shall inhabit the same, and for the necessary support and defence of the government thereof.

"The Assembly of the Massachusetts Bay passed an act entitled Act of Assembly, 4 William & Mary, chap. 2.
 'An Act for the Settlement and Distribution of the Estates of Intestates,'* whereby it's enacted, that when and so often as it shall happen that any person dies intestate, administration of such intestate's goods and estate shall be granted unto the widow or next of kin to the intestate, or both, as the Judge for Probate of Wills and granting of Administrations shall think fit; who shall thereupon take bond with sureties in manner as is directed by the statute of the twenty-second and twenty-third of Charles II., and shall and may proceed to call such administrators to account for and touching the goods of the intestate; and, upon due hearing and consideration thereof (debts, funeral, and just expenses of all sorts, being first allowed), the said judge shall, and hereby is fully empowered to order and make a just distribution of the surplusage, or remaining goods and estate, as well real as personal, in manner following: that is to say, one-third part of the personal estate to the wife of the intestate for ever, besides her dower or thirds in the houses and lands during life, where such wife shall not be otherwise endowed before marriage; and all the residue of the real and personal estate by equal portions to and amongst his children, and such as shall legally represent them (if any of them be dead), other than such children who shall have any estate by settlement of the intestate in his lifetime equal to the others' shares. Children advanced by settlement or portions not equal to the others' share to have so much of the surplusage as shall make the estate of all to be equal, except the eldest son then surviving, where there is no issue of the first-born, or of any other elder son, who shall have two shares, or a double portion of the whole; and, where there are no sons, the daughters shall inherit as copartners. The division of the houses and lands to be made by five

* The preamble artfully omitted, upon which the whole construction of the act depends.

sufficient freeholders upon oath, or any three of them, to be appointed and sworn by the judge for that end.

"And in case there be no children, nor any legal representatives of them, then one moiety of the personal estate shall be allotted to the wife of the intestate for ever, and one-third of the real estate for term of life; the residue, both of the real and personal, equally to every of the next of kin of the intestate in equal degree, and those who legally represent them. No representative to be admitted among collaterals after brothers' and sisters' children; and, if there be no wife, all to be distributed among the children, and, if no child, to the next of kin to the intestate, in equal degree, and their legal representatives as aforesaid, and in no other manner whatsoever.

Act of Assembly,
9 Anno, chap. 2.

"By another act of the Province, entitled 'An Act in addition to and for explanation of the Act for the Settling and Distribution of the Estates of Intestates,' it is enacted, that if, after the death of a father, any of his children shall die intestate, without wife or children, in the lifetime of the mother, every brother and sister, and the representatives of them, shall have an equal share with her in the estate of the intestate; any thing in the said act for the settling and distribution of the estates of intestates to the contrary thereof in any wise notwithstanding."*

A like law passed
in the adjoining
Province of Con-
necticut.

The Province of Connecticut, which adjoins to the Massachusetts Bay, having the like charter and power of making laws,† and having passed the like act for distribution of intestate estates; —

15th February,
1727. — Order in
Council on an
appeal of Win-
throp, determin-
ing the law in
Connecticut to be
a void law.

And Wait Winthrop, Esq., dying intestate, seized of a very considerable real estate, having a son, and a daughter married to Thomas Lechmere, — the son disputed the division of the said real estate: but the Judge of Probates there having decreed a distribution and division of the real estate according to the said law, and the same having been affirmed by the superior courts of that Province, Mr. Winthrop, the son and heir, appealed home to his majesty in council, insisting that, by the law of England, the whole real estate descended to him,

* The appellant does not mention how many tacit and how many actual approbations from the Crown the Massachusetts first law has had.

† By the Massachusetts Charter, and by common reason, the Massachusetts are to be governed by their own charter and by their own laws, and not by those of Connecticut.

Besides, the Connecticut Charter is far different from that to the Massachusetts.

Again: the Connecticut Law was much more modern than the Massachusetts.

And the Connecticut Law had never been at all approved by the Crown.

For all which reasons, this pretended Connecticut precedent is just nothing at all to the purpose on this appeal; which comes from another Province, — the Massachusetts.

as only son and heir-at-law of his father; and that the law directing the distribution of intestates' real estates, and the Judge of Probates and Administrations' proceedings under the same to compel a division of the real estates, were repugnant and contrary to the laws of the realm of England, and *ipso facto* void; and that, by the common law of the realm, no Judge of Probates and Administrations had any thing to do with real estates, or the course of descents, the right and trial whereof appertained to the king's courts. On arguing which appeal, his majesty, by order in council, declared the said act for distribution of intestates' estates, passed in Connecticut, to be null and void, as being repugnant to the common law of England;* and all the proceedings below were reversed, and the whole real estate decreed to Mr. Winthrop, as only son and heir to his father.

Since this determination by his majesty in council in Mr. Winthrop's case (*viz.*, in 1730), Henry Philips, of Boston, in the Massachusetts Bay, died intestate, seized of a considerable real estate, and also possessed of a large personal estate.

The said intestate, Henry Philips, had no child, but left behind him the appellant, Gillam Philips, his brother, and the respondents, his mother and sisters; and, upon his death (*viz.*, 17th July, 1730), administration of the goods and chattels, rights and credits, of the said Henry Philips was granted to the appellant, Gillam, who duly administered the personal estate.

But, as to the real estate, the appellant, Gillam, insisted, in like manner as Winthrop did in Connecticut, that he was, by the common law of the realm, solely entitled thereto, as heir-at-law to his brother; and that no act of that Province could vary the common law of the realm, or change or alter the course of descents. Whereupon—

The Judge of the Probates of Wills and granting Administrations 6th April, 1733. — Order of the Judge of Probate for dividing the intestate's real estate.
made an order, empowering five freeholders of Boston to make an equal division of the said intestate's real estate between his mother, brother, and sisters, or their legal representatives, in five equal parts.† And—

The said five freeholders made their return of division and parti- 11th May, 1733.
tion of the said intestate's real estate, which they valued at £4,000; and they divided the estate into five parts, and set off and allowed one-fifth for the said Gillam, and one-fifth apiece for his mother and two sisters, and the children of the third sister.

* And to the charter of that Colony; for so are the words of the order.

† Why did not the appellant appeal from this first order, if he would contend there ought to be no division?

15th May, 1733. The returns being presented to the Judge of Probates and Administrations, he allowed and approved thereof.

10th October,
1733. — Appeal to
the Governor and
Council.

The said Gillam Philips appealed from the said division and distribution, and from this order of the Judge of Probates and Administrations, to the Governor and Council of the Massachusetts Bay.

2d November,
1733. — Order
thereon affirm-
ing the sen-
tence.

The said appeal was heard; when the order of the Judge of Probates, for dividing the real estate of the said Henry Philips amongst his mother, brother, and sisters, was affirmed.

The appellant, Gillam, conceiving himself aggrieved by the said order, petitioned the Governor and Council on the 6th of November, 1733, praying leave to appeal therefrom to his majesty in council; which petition being read, they ordered it to be dismissed.

The appellant was therefore obliged to petition his majesty in council to be admitted to an appeal from the said three orders of the 6th of April, 15th of May, and 2d of November, 1733; upon which petition, his majesty, by order in council of the 12th February, 1734, ordered the appellant to be admitted to appeal from the said three orders accordingly.*

And the appellant humbly hopes the said three orders shall be reversed, for the following amongst other reasons:—

1. For that the power of making laws given to the Assembly is, by the charter,† expressly confined to such laws only as are not repugnant or contrary to the laws of England; and the acts in question not only subvert the established rules and principles of law respecting the descents of real estates, but do also introduce a new jurisdiction over real estates.‡

2. For that the point in question hath already received a determination, by his majesty's order in council, on the appeal of Winthrop, which is conceived to be a case in point.§

Wherefore it's humbly hoped the said proceedings and orders made thereon shall be reversed, with costs.

D. RYDER.

JOHN BROWN.

* This order was gained, as usual, without the least notice given of that application to the respondents.

† By the mere charter, the power there given is so confined; but the Crown might give, and did give, further powers.

‡ The charter itself gives expressly power to erect judicatories, and also to perform all that is necessary for probate of wills and granting administrations for or concerning any interest or estate.

§ Though in another Colony, under a different charter, and that law never confirmed.

MASSACHUSETTS BAY.

GILLAM PHILLIPS, only brother of HENRY PHILLIPS (deceased, intestate), *Appellant*.

FAITH SAVAGE, widow, one of the sisters of the intestate, and others, *Respondents*.

THE CASE OF FAITH SAVAGE, *one of the Respondents*.

HENRY PHILLIPS, Esq., seized and possessed of a considerable estate, real and personal, in the Massachusetts Bay, died some time since, intestate; his only surviving relations being a mother, his brother (the appellant), this respondent (his eldest sister), a second sister, and children of a third sister (deceased): and all the sisters were of the whole blood to the intestate.

GILLAM PHILLIPS, the appellant, took out letters of administration, and, 'tis presumed, gave bond to the Judge of Probates, in pursuance of the Province laws hereinafter mentioned, to exhibit an inventory and account of the intestate's real and personal estate: and now, after administration, pretends that there ought to be no partition of the real estate among the intestate's other relations, though in equal degree with the appellant, in conformity to the laws of the said Province, established by the Crown, which direct a distribution of the real as well as personal estate of every intestate, equally, to each of the next of kin in equal degree, or their legal representatives; he insisting that the whole real estate vested in him, as sole heir to the intestate, by the common law of England. But the respondent humbly hopes, under the following situation of her case, she is entitled to her distributary share of the intestate's real estate, agreeable to the laws of the Province in this case made and provided.

The Council of Plymouth, 3rd Car. 1st, seized of large tracts of land in America, and invested with powers of government, made a grant of a certain territory, afterwards called the Province of the Massachusetts Bay, to Sir Henry Roswell and others; which grant was confirmed 4th Car. 1st, by letters patent under the Great Seal, incorporating the grantees, and investing them with several powers, liberties, and privileges.

Under this charter, the Province of the Massachusetts Bay enacted several laws adapted to the circumstances of a new settlement, and particularly one, about 1641, for distribution of intestates' estates;

3rd Car. 1st. —
The old Grant
and Confirmation
to the Massachu-
setts Bay.

4th Car. 1st. —
A law, in 1641,
made for distri-
buting real es-
tates.

subjecting lands (if not otherwise disposed by the owners), in the manner of personal estates in England, to an equal distribution among all the children, or next of kin in equal degree, or to the like effect.

36 Car. 2. — The old Charter vacated.

This charter to the Massachusetts Bay was vacated An. 36, Car. 2^d, by judgment upon a *scire facias*, brought for that purpose, in the High Court of Chancery.

7th October, 1691.
3tio Gul. & Mar.
— A new Charter granted to the Massachusetts Bay.

A new charter was granted by their majesties King William and Queen Mary, tested 7th October, 3^{ro} Gul. and Mar. (sc. an. 1691), to the inhabitants of Massachusetts Bay and their successors, investing them with several affirmative powers and privileges; and, among others, full power and authority to the Governor and the Great and General Court and Assembly, from time to time, to make, ordain, and establish all manner of wholesome and reasonable orders, laws, statutes and ordinances, directions and instructions, either with penalties or without, so as the same be not repugnant or contrary to the laws of this our realm of England, as they shall judge to be for the good and welfare of our said Province, or Territory, &c.

It was further directed by the charter, that the said laws should be transmitted to the Crown for approbation or disallowance; and that, in case all or any of them should, within three years after such transmission, be disallowed or rejected, then all, or as many of them as should be so disallowed or rejected, should thenceforth cease and determine, and become utterly void and of none effect: provided, that in case they should not, within the time specified, be disallowed, then the laws shall be and continue in full force and effect.

But, in the said charter, there were no clauses restraining their majesties or successors from granting any new powers to the said Province, nor any clause declaring that the Crown and Assembly should never jointly enact any laws different from those prescribed in the charter.

The nomination of governors of the Province was, by the charter, reserved to the Crown; and governors have been accordingly, from time to time, appointed by the Crown, with such powers, authorities, and instructions as the Crown deemed suitable and proper.

8th June, 1692.
— Massachusetts Act for settling Intestates' Estates.

The first Assembly under this charter was held 8th June, 1692: in which the second act passed was an act — and is that called in question by the appellant — for the settlement and distribution of the estates of intestates: and the preamble recites, “Whereas estates

in these plantations do consist chiefly of lands which have been subdued and brought to improvement by the industry and labor of the proprietors, with the assistance of their children; the younger children generally having been longest and most serviceable unto their parents in that behalf, who have no personal estate to give out unto them, in portions or otherwise, to recompense their labor." And then it enacts, that every person seized of lands, &c., in that Province, may dispose of the same, as well by will as otherwise, by any act executed in his life, to and among his children or otherwise, at pleasure: but if no disposition be made by the owner of any such lands, tenements, or hereditaments, the same shall be subject to a division with his personal estate, and be alike distributed, according to the rules thereafter expressed for intestates' estates. And, when any person dies intestate, administration of such intestate's goods and estates shall be granted to the widow or the next of kin, or both, as the Judge for Probates of Wills and granting of Administrations shall think fit; who shall thereupon take bond with sureties in manner as is directed by the stat. 22 and 23 Car. 2, and shall and may proceed to call such administrators to account. And, upon consideration thereof, the said judge is thereby fully empowered to order and make a just distribution of the surplusage and remaining goods and estate, as well real as personal, in manner therein mentioned: viz., one-third of the personal estate to the wife for ever (besides her dower, &c.); and all the residue of the real and personal estate, by equal portions, to and amongst his children, and such as shall legally represent them, if any of them be dead, other than such children as shall have been advanced by the intestate equal to the others' shares. Children already advanced, but not equal to the others, to have so much of the surplusage as shall make the estate of all equal; except the eldest son, who shall have two shares, or a double portion. If no sons, the daughters to inherit as coparceners. The division of the houses and lands to be made by five sufficient freeholders on oath, or any three of them, to be appointed and sworn by the judge for that end; provided that, where houses and lands cannot be divided without prejudice, the judge may order the whole to the eldest son, paying the other children their shares. If there be no children, nor any legal representatives of them, one moiety of the personal estate for ever, and one third of the real estate for life, to the wife; and the residue of the real and personal estate equally to every of the next of kin of the intestate, in equal degree, and

those who legally represent them. No representatives to be admitted among collaterals after brothers' and sisters' children. If there be no wife, all shall be distributed among the children; if no child, to the next of kin to the intestate, in equal degree, and the legal representatives, as aforesaid, and in no other manner whatsoever.

Order of Council
confirming the
said act.

The preceding law received an actual, solemn confirmation from the Crown, in very remarkable terms, contained in an order of Council, reciting, that, by powers granted under the Great Seal, the Governor, Council, and Assembly are authorized and empowered to constitute and ordain laws, which are to continue to be in force unless his majesty's pleasure shall be signified to the contrary; and that, in pursuance of those powers, several laws (and then enumerating the title of this and other acts) were made by the Governor, Council, and Assembly, *anno* 1692. And the order proceeds to this effect: "Which laws, on the perusal of the Lords of Privy Council (appointed a Committee of Trade and Plantations), being presented for the approbation of their excellencies the Lords-Justices of England, their excellencies, with the advice of his majesty's Privy Council, have declared their approbation of the same; and, pursuant to their excellencies' pleasure thereupon expressed, the said laws are hereby confirmed, finally enacted, and ratified accordingly."

This confirmation was made soon after the date of the charter, and by those great personages who assisted in framing and settling the charter itself; who must therefore have been indisputable judges of the conformity of this act to the powers which had been granted: and they have, in express terms, declared this act agreeable to those powers; and, in consequence of that, confirmed, finally enacted, and ratified the same.

1692. — An amendment of the act, and that amendment confirmed.

In a subsequent session of the same year, the Assembly passed an act of amendment of the former, but in a point immaterial to the case in question, which received confirmation under the same order of Council, and is a second instance of actual approbation of the original law.

1731. — An act in addition to the first, and that likewise confirmed.

In 1731, another act was passed, additional to the two former, which also received the royal and actual confirmation from his present most sacred majesty's order in Council, but in much larger and more explicit terms than either of the two preceding laws: for it recites, that, by commission under the Great Seal, the Governor, Council, and Assembly are authorized to constitute laws, which are

to continue and be in force unless his majesty's pleasure be signified to the contrary ; and that, in pursuance of the said commission, this and the several laws, in the order specified, were passed, and had been under the consideration of the Lords of Trade, and also of a Committee of the Lords of his majesty's Privy Council ; and that the said Lords of the Committee had presented the same to his majesty, with their opinion, that the same were proper to be approved. Then it adds, that his present majesty thereupon, in Council, was graciously pleased to declare his approbation of the same ; and, pursuant thereto, the said laws were thereby confirmed, finally enacted, and ratified ; whereof the Governor or Commander for the time being, and all others whom it might concern, were to take notice, and govern themselves accordingly : which may be deemed a third instance of the actual confirmation of the first law.

In the Collection of Massachusetts Laws, prepared by the Lords of Trade and Plantations, and printed by his majesty's printer in London, *anno* 1724, there are three other acts, passed in 1710, 1715, and 1719, explanatory of this said first law, which, by their being inserted in the collection, are presumed to have been laid before, and not disallowed by, the Crown, and therefore to be considered as having received a tacit approbation, supposing no direct, actual confirmation of them should be found : and the act of 1710 provides more explicitly, that the brothers and sisters of any person dying intestate, without wife or child, are to be equal sharers with the mother in the estate of the intestate ; and within this description the intestate died.

The appellant, in his petition of appeal, admits the letters of administration, but does not produce or mention the bond for exhibiting the inventory and account, without which, by the law in question, he could not have obtained his letters of administration ; so that the record is partial : whereas every appellant ought to produce the whole record, not omitting such facts as make for the respondents.

In common proceedings upon intestates' estates in that Province, every administrator is to exhibit, within a reasonable time, an inventory and account of the estate, that the Judge of Probates may execute the several branches of his office prescribed by the act, and distribute the surplus, after payment of debts and legacies, according to law. That an inventory of this intestate's estate was exhibited, appears from the acts and proceedings of the judge himself : for

6th April, 1733. upon the 6th April, 1733, he empowered five sufficient frecholders — The Judge of Probates' first order for a division. to appraise and divide, upon oath, all the houses and lands of the intestate, and to make a just and equal division of the same between the intestate's mother (Hannah Phillips, widow), his brother, Gillam Phillips (the appellant), Faith Savage (the respondent), Hannah Savage (the second sister), and the heirs of Mary Butler (another sister), deceased, in five equal parts, or shares, according to their skill and judgment and the law in that case made and provided; and ordered a return of their proceedings to himself as soon as possible.

11th May, 1733. A return, under their hands and seals, was accordingly made the 11th of May following.
— The frecholders returned their division.

15th May, 1733. On the 15th of the same month, the Judge of Probates gave his — The Judge of Probates approved of that return. approbation of that return, — which the appellant absurdly styles "an order," — as appears at large by the record transmitted under the Province seal. These steps the Judge of Probates could not possibly have taken without an inventory legally exhibited, and that must be by the administrator himself, showing there were houses and lands to divide. And, as the bond and inventory are material to the case in question, 'tis hoped the appellant will, as he ought in justice to the respondent, produce them at the hearing; or at least show that he obtained letters of administration without such bond; or that any other person did, or possibly could, have exhibited such account and inventory: and, if he does not, 'tis hoped that the bond and inventory will be presumed to have been given in the common form prescribed by the act. For the respondent, depending that the appellant would, like all other appellants, have fairly transmitted the whole record, has not sent the bond or inventory, which are of absolute consequence to one part of her case: because, if such bond and inventory were given and exhibited, it is submitted, that the appellant comes too late with his objection in the present petition, that neither the administrator as such, nor the Judge of Probates, had any thing to do with real estates; for by the bond and inventory upon the letters of administration, which he might have refused, the appellant has acknowledged the jurisdiction of the Judge of Probates over the real estate as well as the personal.

The appellant does not object to the division as unequal or irregular, but to the original order directing that division, and that after a submission to that order and the authority of the judge under the act, by lying dormant upon that order, and without any

subsequent appeal; at this distance of time, contending that there ought to have been no division at all.

The appellant, 10th October, 1733, presented a petition of appeal to the Governor and Council, entitling the same the appeal of Gillam Phillips from a decree, order, or sentence, of the Hon. Josiah Willard, Esq., Judge of Probate of Wills, &c., pronounced at Boston 15th May last, whereby he ordered a division or partition of the real estate therein particularly specified; which said division and distribution, and the decree, order, and sentence thereupon, he alleged to be wrong and erroneous, for three reasons; viz.:—

10th October, 1733. — Appeal to the Governor and Council from the Judge's last order.

I. For that the appellant was the only brother and heir-at-law; and, by the law of England, the whole descended to him.

II. By the words of the charter, power is granted to make laws, so as the same be not repugnant or contrary to the laws of the realm of England, as they shall judge to be for the good and welfare of the Province; but the act of the 4th William and Mary (1692), whereby the said judge has pretended to distribute the said real estate in manner as aforesaid, and his proceedings thereon, are repugnant or contrary to the laws of the realm of England, and consequently, *ipso facto*, void.

III. By law, no Judge of Probates has any thing to do with real estates, or the course of descents; the right and trial thereof appertaining to the King's Courts: and therefore, in the form of letters of administration, no power is delegated to the administrator touching or concerning real estates.

Wherefore he prayed reversal and costs.

But it is humbly submitted, as before, whether the appellant's objection to the execution of the judgment was regular, after acquiescence under the judgment itself, in the first instance, awarding a distribution.

The Governor and Council appointed a hearing the 19th October, 1733; and, 2d November, made the following order:—

19th October, 1733; 2d November, 1733. — Order of the Governor and Council.

A hearing having been this day had before the Board on this appeal, and the pleas, allegations, and evidences in the case fully considered,—Ordered and decreed, That the order of the Judge of Probates for the County of Suffolk, for dividing the real estate of Henry Phillips, deceased, among his mother, brother, and sisters, &c., be, and hereby is, affirmed.

The appellant, in his present petition to his majesty in Council, states, that, conceiving himself aggrieved by this order of the Gover-

nor and Council, he petitioned them for leave to appeal from their said order to his majesty in Council, and was refused ; but he does not pretend that he ever demanded an appeal, in the Massachusetts Bay, from the first sentence of the Judge of Probates of 6th April, 1733. This refusal produced his petition here, by way of doléance, for an appeal, on giving the usual security.

In petitions of doléance, the parties who are to respond to the appeal are never summoned or notified, and so have no opportunity of being heard against such petitions ; and their only summons is to the hearing upon the appeal admitted.

The appellant, taking advantage of the respondent's absolute ignorance of his application, prayed, and by report from the Lords of the Committee of his majesty's Privy Council, and by his majesty's order in Council of 12th February, 1734, was allowed, to appeal here from all the three orders of 6th April, 15th May, and 2d November, 1733 ; and therefore the respondent, as she was no party to the petition of doléance, and so was not let in to make any objections to the allowance of the appeal, humbly hopes that she is at perfect liberty now to urge —

Objections to the appeal, in point of regularity as well as to the merits, in support of the respective orders.

1. The appellant has precluded himself of any appeal from the judge's first order of 6th April, 1733, directing a division of the estate, by several voluntary acts, as well as by his submission to the order itself : for the appellant took out administration under the law in question ; gave bond to the Judge of Probates to render such an account and inventory of the intestate's estate as this law requires ; and, it is presumed, actually exhibited an inventory of the real estate to the Judge of Probates, though he now says that the judge could take no cognizance of the real estate. And the appellant, as before mentioned, submitted to the first order of division, without any appeal, in the Massachusetts Bay ; appealing to the Governor and Council only from the judge's confirmation of the actual division, in consequence and execution of his first order. Whereas, by the acts or laws in question under which the appellant is administrator, appeals lie to the Governor and Council in the next instance, from every order of the Judge of Probates ; and therefore it is humbly submitted, whether the appellant can pass over the intermediate jurisdiction of the Governor and Council, and be received here to his appeal, *per saltum*, upon that original order : but,

if the appeal should be deemed regular, 'tis humbly hoped that the several acts and acquiescences of the appellant, in affirmance of this law, will be a full and sufficient answer to his appeal.

2. Should the appellant be confined to pursue his appeal made to the Governor and Council below, it is remarkable, in his petition to them as well as in the present petition to his majesty, that he does not suggest any the least inequality or irregularity in the division returned to the Judge of Probates by the freeholders. But, —

3. If the appellant is to be let into the merits of the appeal, it is submitted, that there is no weight at all in his pretensions; which amount to this, that he is sole heir to the real estate of the intestate, by the course of descents, under the common law of England: and that the Province law in question, subjecting real estates to an apportionment among the next of kin, must be null and void; because, under the charter to the Massachusetts Bay, no power is derived to the Legislature there of enacting laws repugnant or contrary to the laws of England. To which the respondent humbly answers, —

That the Crown, by its royal prerogative, at least in conjunction with the Legislature of the Province, might, notwithstanding such powers were not granted in the charter, at any subsequent time enlarge their powers and privileges, or enact such further laws as should appear reasonable and convenient for the circumstances of the inhabitants; and it must be submitted, whether the Crown, by any restraining clauses in the charter, hath or could have tied up the prerogative from making any other laws than such as the charter prescribes. It is beyond a bare presumption, that the Crown might extend and increase the powers; for it is fully proved that it actually did exercise its right of enlarging those powers and authorities: and these very laws were enacted under those enlarged powers and authorities, as may be plainly seen by the orders of Council made upon consideration of the charter itself, and comparing it with the laws in question (by those very personages who assisted in framing the charter) expressly declaring, that powers of enacting this and the other laws specified had been vested in the Province; and thereupon these laws were solemnly and repeatedly confirmed, finally enacted, and ratified.

4. The doctrine advanced, that every law passed in America, not perfectly agreeable to the law of England, though actually con-

firmed by the Crown, must be void, would, if allowed, not only affect every constitution in America, and render their powers of legislature (under the charter) absolutely useless, but also highly tend to the detriment and subversion of his majesty's royal prerogative and authority.

5. This law — never before brought in question, and here in a private instance only; to which the Province itself, though of general consequence, and the nearest concern to almost every individual of it, can't be admitted party — is in itself reasonable, and in every respect calculated for the end of the charter, which is to people and settle the Colony; and, for this end, nothing can be more effectual than the law in question. For all the aim of the act is to encourage the industry of the inhabitants, to promote the cultivation and improvement of the soil, by providing equally for all the branches, how numerous soever, of every intestate's family, and so giving them an equal interest and share in the Province; the natural result of which is a public spirit, and a sacred regard for the common interests of the whole, without which no State or Constitution upon earth can long maintain its being: and therefore the very foundation and growth of this and all other colonies absolutely depend upon this equality of descent; for their whole estate consists in lands, stock, buildings, and such other improvements. For, as the act truly recites, the personal estates are an insufficient provision and recompense for the long labor and industry of younger children, in subduing and improving the settlements of their ancestors; and, if they were to receive no share at all of those lands which they themselves have cultivated, all future culture must cease, and the unsubdued part of the Colony eternally remain, as it is, a wilderness, and younger children must rove about the world for bread, the Province be depopulated, and so the very intentions of the charter destroyed.

6. Descents must be governed by the circumstances of every country, so that the rules about them will always be as different as the state and situation of the country itself; and therefore the only essential, invariable requisite is, that the descent be fitting and reasonable, beneficial to the community, notorious, and established. And the law in question reaches every branch of this rule; for that it is fitting, reasonable, and beneficial, appears as well from what has been just before urged, as from the acquiescence and satisfaction of the whole collective body of the Province for near a century

under it without appeal: for, even after such a long tract of time, the appellant stands alone in his complaint. That it is notorious and established can't be contested, after so many confirmations of the law, and such an extensive practice and experience of it.

7. Before the Conquest, in the unsettled state of the realm, the very rules of descent in England were of much the same nature with the rules of this act; and so were those in the early ages of the Jews, Grecians, and Romans, and every other country and nation upon earth that had in view the peopling and establishing their settlements: which shows that the law is not repugnant to the general wisdom and policy of mankind. And, even now, the prudence of the Legislature here have thought proper, by an act of Parliament of the 5th of his present majesty, to consider lands, through all the plantations in America, to some purposes, as mere personal estates, though they remain, even for those very purposes, in England, under all the circumstances of real.

8. A general rule of descent to the heir male has, indeed, obtained here since the Conquest: but still there are numerous particular customs, repugnant to this general rule, prevailing in different parts of the kingdom, not now subsisting upon the same necessity as the law in question, but upon mere arbitrary usage alone; and yet their repugnance to this general rule was never thought of as an objection to their legality, — as, by gavelkind, in Kent, all the males inherit equally; by burrough-English, in other parts of England, the youngest son inherits alone; in others, the eldest daughter takes the whole in case of failure of male issue (though the general rule is, that it shall descend to all the daughters in coparcenary); with a variety of other special customs; though the places where they prevail are of full-established growth, and therefore in a quite different situation from the unsubdued wilds of America, whose growth and establishment depend upon the stock and industry of each individual in its state of infancy. And, as the rules of descent in England differ and clash with one another, it is impossible but that the rule of descent in America should vary from some one rule or other of descent here.

9. Public general inconvenience is no inconsiderable argument in law; and it is submitted, whether a case can ever happen introductive of such universal, distracting, and oppressive inconveniences as must follow from declaring this law void, after forty-five years' nay (if considered under the old charter), almost a century's, execu-

tion of it, in thousands of instances ; repeated amendments and explanations by the Assembly ; tacit and actual confirmations of it by the Crown ; at the same time, commanding governors and the people to regulate themselves accordingly : so that almost every estate in the Colony, being sooner or later held under this law, must be proportionably affected by the repeal prayed for, and every family settlement of the Province rent in pieces ; widows and orphans thrown into the extremest poverty and distress ; as well as numberless honest purchasers, builders, and improvers stripped of their estates and possessions ; with other multiplied confusions and distractions, too shocking to enumerate. But —

If, after mentioning all these calamitous consequences, the respondent's case could possibly be thought to want one single argument more to support it, she would only add, as another instance of public confusion, that the determination desired by the appellant may finally affect most, if not all, the general laws of the Province, which may, with equal justice, be styled repugnant to the laws of England, and might particularly tend to bastardize and disinherit a very great majority of the Province, whose parents have, under another law (passed in the same year, and receiving the royal sanction by the very same order in Council, with the law now under litigation), been married by justices of the peace.

10. That the general question is, at last, reducible to this, — whether, on the one hand, a door shall be opened to pour in all these destructive confusions upon the Province, merely to gratify the present appellant ; or that, on the other hand, the Province shall be settled and confirmed in its public peace and order, and the appellant be directed to submit to that rule and measure of justice under which all his ancestors, and every man in the Province, for near a whole century, have acquiesced, without the least complaint or appeal.

For which reasons, among many others, the respondent humbly hopes that the appellant, who has exposed the respondent, by an attempt so pernicious and fatal in its consequences, to a heavy expense, far beyond the compass of her fortune, shall have his appeal dismissed with full and exemplary costs, and that the respective orders appealed from shall be affirmed.

J. STRANGE.

JONATH' BELCHER.

Voted, That these curious papers be referred to a Special Committee, consisting of Messrs. Ames and Willard.

The President said he had been intrusted by our efficient Corresponding Member, Mr. Henry Stevens of London, with an original printed copy of the Report of the Constitution of Massachusetts, with many manuscript marginal notes, evidently made at the time by a member of the Convention, and which might throw light on the spirit in which that instrument was adopted. Mr. Stevens had caused it to be nicely bound, and had sent it as an offering to our library.

The volume was referred to Messrs. Deane and Ames for examination; and it was thereupon *voted*, That the thanks of the Society be presented to our Corresponding Member, Henry Stevens, Esq.

The President stated that he had received, within a few days past, a copy of the recently published volume of "Occasional Productions" of the late Mr. Rush, with the request from his executors that it might be placed in the library of our Society, of which he was an Honorary Member. The volume had been handsomely noticed in the last number of the "North-American Review;" and it contained many interesting papers connected with the history of our own and of other countries.

Mr. Rush had held many conspicuous positions under the Government of the United States. He was a member of the cabinets both of Mr. Madison and of Mr. John Quincy Adams, and had represented the United States at the courts of Great Britain and of France during the progress of events of the highest public

importance. He died at Philadelphia on the 30th of July, 1859, in his eightieth year, greatly respected and esteemed by all who knew him. His name had been but recently enrolled on our list of Honorary Members; and his death, occurring at a time when the Society was called but too frequently to pay the last tribute to those who had been longer and more immediately associated with us, was not made the subject of any formal communication to us. In accepting this posthumous publication of his writings, the President proposed the adoption of the following resolution, which was unanimously adopted: viz., —

Resolved, That the thanks of the Massachusetts Historical Society be communicated to the executors of the late Hon. Richard Rush, of Pennsylvania, for the interesting volume of his productions which they have kindly presented to our library; and that the acknowledgment be accompanied with an expression of the deep respect which is entertained by the Society for the memory of an Honorary Member, whose name is associated with more than forty years of varied and distinguished public service, at home and abroad, and whose virtues and accomplishments had justly won for him so large a measure of public regard and confidence, and of private esteem and affection.

The President then proceeded to remark, that another name had just been stricken from our Honorary roll, upon which he desired the privilege of dwelling for a few moments, — a name with which but few of those present had any personal associations, but which to himself was the name of a well-known and much-valued friend.

Charles Fraser, of South Carolina, was the fifth in order of seniority on the recently published roll of our living American Honorary Members; and we learn that he died at his residence in Charleston, on the 6th instant, in his seventy-ninth year. He was educated to the profession of the law, and was honorably and successfully connected with the bar of Charleston for many years. But his taste and his genius were for art; and though he took up his pencil, originally, only in the spirit of an amateur, he has left a reputation which many a professional painter at home or abroad might envy. He was the intimate friend of Washington Allston, of Thomas Sully, and of the celebrated miniature-painter Malbone; and was associated with all of them in their early studies and pursuits. He was a man of peculiar delicacy of feeling, and shrunk from every thing like display; but his friends in Carolina, three years since, under the lead of the late Rev. Dr. Gilman, induced him to consent to a public exhibition of all his works, which were collected in his native city for the purpose. It was an occasion of just pride for Charleston, and for her accomplished and estimable son, then first beginning to feel the pressure of advanced age. No less than three hundred and thirteen miniatures were there exhibited, including the heads of almost all the most distinguished and illustrious statesmen and scholars of South Carolina. Besides the miniatures, there were a hundred and thirty-nine landscapes and portraits in oil, illustrating the scenery and the history of his country.

Mr. Fraser was a gentleman of ample fortune, and in no degree dependent on his pencil for his means of support. He found time for other pursuits besides those of art; and not a few literary and historical productions are left to bear evidence to his acquisitions and scholarship. His "Reminiscences of Charleston" are among the most cherished contributions to the history of that ancient and hospitable city. His more recent address at the dedication of the Magnolia Cemetery, in

which he was soon to repose, has been pronounced, by a kindred spirit, worthy to be ranked with that of our own Story at Mount Auburn. These and many other productions of his pen, in prose and sometimes in poetry, unite with the productions of his pencil in bearing testimony to his character, as at once a scholar, an artist, and a genial Christian gentleman.

The President then offered the following resolution, which was unanimously adopted:—

Resolved, That the Massachusetts Historical Society desire to enter upon their records an expression of their respect for the memory of Charles Fraser, of South Carolina, whose name has adorned their Honorary rolls for nearly thirty years, and whose death has this day been announced.

A communication was received from Mr. Porter C. Bliss, a son of a missionary among the Seneca Indians of Western New York, proposing, under the auspices of this Society, to visit, personally, all the Indians in New England, to make report upon all legitimate subjects of inquiry respecting their present condition, and to prepare a comparative vocabulary, as copious as possible, of all their spoken languages. Referred to Mr. Deane and the Librarian.

Requests of Rev. E. M. Stone, Rev. Mr. Quint, and Dr. Green, to make transcripts of certain manuscript papers in the Society's library, were referred to the Standing Committee, with full powers.

Mr. SIBLEY read a biographical sketch of Sir George Downing, a graduate of Harvard College, of the earliest class.

In referring to the contemplated coming of the Prince of Wales to this city, the President observed, that the Historical Society of New York had made his visit to the United States the subject of a formal notice on their records. It certainly was a most interesting event in the history of the two countries: but there was something peculiarly interesting to us in the fact, that the Prince came attended by the head of that old house of Lincoln, more than one of whose daughters were identified with our earliest Colonial annals, — the Lady Arbella Johnson, who gave the name of the ship which brought over the charter of Massachusetts, and who was herself a passenger in that ship; and the Lady Susan Humfrey, the wife of one of our earliest deputy-governors. Mr. Savage gives an account of the family in a note to Governor Winthrop's History (p. 40, *new edition*).

The name of the Lady Arbella alone, so full of interest from the story of her early death and that of her excellent husband, would be enough to secure a cordial welcome to New England, and particularly to Boston, for any descendant of that ancient house.

In the Earl of St. Germans, the President also reminded the Society, we have the lineal descendant of that renowned Sir John Eliot, of Cornwall, who contended so bravely against the very oppressions which drove the Puritans to New England, — himself the most intimate friend of John Hampden, — and whose "Monarchy of Man" bears the noblest testimony to a freedom and independence of spirit, which could not be quenched even by that long and cruel imprisonment in the Tower, under which he sank bodily, and died.

The President then offered the following resolution, which he proposed should be informally communicated to the Mayor of Boston, and which was unanimously adopted : —

Resolved, That this Society regard with peculiar interest the visit to our city and commonwealth of the heir apparent to the throne of England, attended by the head of that old house of Lincoln which gave the Lady Arbella Johnson and the Lady Susan Humfrey to our earliest Colonial history ; and that, while we abstain from any specific proffer of hospitality to the Prince or his party at a moment when they seem in danger of being oppressed by too much kindness, we take pleasure in signifying to the Mayor of Boston our earnest disposition to co-operate with him, in any way which may be acceptable, in doing honor to these illustrious guests of our city.

NOVEMBER MEETING.

A stated monthly meeting was held this day, Thursday, Nov. 8, at noon ; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Essex Institute ; New-York State Agricultural Society ; Vermont Historical Society ; M. Mignet ; Trübner and Company ; Hon. Theron Metcalf ; Henry Stevens, Esq. ; Rev. J. M. Heard ; William B. Shedd, Esq. ; Samuel Tymms, Esq. ; E. G. Allen, Esq. ; William P. Tucker, Esq. ; Rev. George Allen ; Walter Channing, M.D. ; William Dur-

rant Cooper, Esq.; Mrs. Sarah K. Hayes; Executors of Hon. Richard Rush; Count Adolphe de Circourt; and from Messrs. Adams, Bowditch, Green, Quint, Robbins (C.), Sears (D.), Sibley, Webb, Whitney, Willard, and Winthrop, of the Society.

The Corresponding Secretary read a letter from John Spare, M.D., relating to a journal kept by Jesse Tilton, of Stoughton. Referred to the Committee of Publication.

Mr. WILLARD presented a valuable collection of ancient commissions and other documents, several of them bearing the autograph signatures of the early governors of Massachusetts and of other distinguished men. Referred to the Publishing Committee.

The President read a note from our associate, Mr. Bowditch, offering to the Society's acceptance two elegantly bound pamphlets, published by himself, and now out of print.

Voted, That the President be requested to acknowledge this token of the kind remembrance in which the Society is held by our esteemed associate on his sick-bed.

An application from L. G. Olmsted, Esq., for permission to copy a letter from Joel Barlow contained in the Trumbull Papers, was granted under the rules.

Mr. DEANE, who had examined, at the request of the President, the volume recently presented by Mr. Henry Stevens, entitled "Report of a Constitution, or Form of Government, for the Commonwealth of Massachusetts," &c., presented the following report of the result of his investigation:—

Mr. Deane's Report.

This tract, of which a copy of the titlepage is given below,* is the Report of the Committee of Thirty, chosen by the Convention for forming the Constitution of Massachusetts, "to prepare a frame of a Constitution and Declaration of Rights," to be submitted to the Convention. This committee, of which the Hon. James Bowdoin was chairman, was chosen on the 4th of September. The Convention adjourned on the 8th, to meet again on the 28th of the following month. During the recess, the committee entered upon the important duty assigned to them; and, when the Convention again met, submitted their report in this printed form, copies of which were distributed among the members.

The journal or record of the proceedings of this committee, if any was kept by them, is not extant; but we learn from other sources, that the committee delegated to a sub-committee of three members the duty of preparing a draught of a Constitution. The three were Mr. Bowdoin, Samuel Adams, and John Adams. "By this sub-committee the task was committed to John Adams, who performed it. To them the draught was first submitted; and they accepted it, with one or two trifling erasures. It was then reported to the grand committee, who made some alterations. The preparation of a declaration of rights was intrusted by the general committee to Mr. Adams alone. It was reported by him, with the exception of the third article, upon which he could not satisfy his own judgment."†

To what extent Mr. Adams's draught was modified before it was submitted to the Convention, we have no means, at the

* "The report of a Constitution or form of Government for the Commonwealth of Massachusetts: Agreed upon by the Committee, to be laid before the Convention of Delegates assembled at Cambridge, on the first day of *September*, A.D. 1779; and continued by adjournment to the twenty-eighth day of *October* following. Boston: Printed by Benjamin Edes & Sons in State Street. 1779."

† These facts are taken from a letter of John Adams to W. D. Williamson, dated 25th February, 1812. — See Works of John Adams, iv. 215, 216.

present day, of determining. That suggestions, more or less important, were made by some of the distinguished men who were members of that committee, is certain; but it is equally certain, that the Report to the Convention was substantially as it came from the hands of Mr. Adams. Mr. Charles Francis Adams considers it so far a product of his mind as to feel warranted in giving it a place among the works of his grandfather.

It may not be uninteresting to quote here from Mr. Adams's own letters, written at different periods, in which allusion is incidentally made by him to his agency in the formation of the Constitution, or rather in the preparation of the draught reported to the Convention.

In a letter of Mr. Adams to Edmund Jennings, dated 7th June, 1780, immediately after the Constitution had been ratified by the people, he says, —

"I was chosen by my native town into the Convention, two or three days after my arrival [from Europe]. I was, by the Convention, put upon the committee; by the committee, upon the sub-committee: so that I had the honor to be principal engineer. The committee made some alterations, as, I am informed, the Convention have made a few others, in the report; but the frame and essence and substance is preserved." — *Works of John Adams*, iv. 216.

In a letter to B. Rush, dated 4th November, 1779, from Braintree, a few days before he sailed for Europe, Mr. Adams says, —

"Your favors of Oct. 12th and 19th are before me. I should not have left the first unanswered seven days if it had not been for my new trade of a Constitution monger. I enclose a pamphlet as my apology. It is only a report of a committee; and will be greatly altered, no doubt." — *Ibid.*, ix. 507.

I suppose the "pamphlet" alluded to to be a copy of the one just presented to the Society by Mr. Stevens, and which has furnished the occasion of these remarks.

In a letter to Dr. Rush, dated Quincy, 12th April, 1809, Mr. Adams says, —

“Upon my return from France in 1779, I found myself elected, by my native town of Braintree, a member of the Convention for forming a Constitution for the State of Massachusetts. I attended that Convention of near four hundred members. Here I found such a chaos of absurd sentiments concerning government, that I was obliged daily before that great assembly, and afterwards in the Grand Committee, to propose plans, and advocate doctrines, which were extremely unpopular with the greater number. Lieutenant-Governor Cushing was avowedly for a single assembly, like Pennsylvania. Samuel Adams was of the same mind. Mr. Hancock kept aloof, in order to be Governor. In short, I had at first no support but from the Essex junto, who had adopted my ideas in the letter to Mr. Wythe. They supported me timorously; and, at last, would not go with me to so high a mark as I aimed at, which was a complete negative in the governor upon all laws. They made me, however, draw up the Constitution; and it was finally adopted, with some amendments very much for the worse,” &c. — *Ibid.*, 618.

In a letter to Samuel Perley, — Quincy, 19th June, 1809, — Mr. Adams says, —

“In 1780, when I arrived in France, I carried a printed copy of the report of the Grand Committee of the Massachusetts Convention, which I had drawn up; and this became an object of speculation. Mr. Turgot, the Duke de la Rochefoucauld, and Mr. Condorcet and others, admired Mr. Franklin’s constitution, and reprobated mine. Mr. Turgot, in a letter to Dr. Price, printed in London, censured the American Constitution,* as adopting three branches, in imitation of the Constitution of Great Britain. The intention was to celebrate Franklin’s constitution, and condemn mine. I understood it, and undertook to defend my constitution; and it cost me three volumes.” — *Ibid.*, 623.

In “Letters to John Taylor,” in 1814, he says, —

* “Constitutions” it probably should be. M. Turgot’s letter to Dr. Price was written in 1778, before Mr. Adams’s draught was made; but his criticisms were upon the principles of government therein approved.

"My volumes had nothing in view but the state governments; and, in strict truth, nothing in view but the state constitution of Massachusetts, — a child, of which I was, right or wrong, the putative father." — *Ibid.*, vi. 463. "My three volumes were written in defence of the Constitution of Massachusetts, against a rude and insolent attack of M. Turgot. This constitution, which existed in my handwriting," &c. — *Ibid.*, 465.

Copies of this printed "Report" are quite rare. Indeed, when the committee, appointed by the Legislature of 1832 to superintend the printing of the "Journal of the Convention," undertook the labor, they did not succeed in finding a copy until the principal part of their work had gone to press. It was then printed in the Appendix. But, by a singular inadvertence, a table of "Errata," at the end of this original printed report, and which, of course, forms a part of the Report of the Committee, was entirely disregarded in this reprint; and, in reprinting this document among the works of Mr. Adams, his editor has committed the same oversight, evidently copying from the reprint of 1832: therefore, the alterations in the report, suggested by the "Errata," are erroneously put down by the latter among the amendments made by the Convention.

This copy, now, through the kindness of Mr. Stevens, the property of this Society, once belonged to the Hon. John Tyng, Esq., a member of the Convention for Dunstable. The manuscript notes in the margin are probably by him. A part of them consist of corrections of the text called for by the table of "Errata." Some of the others imply notions that were probably confined to the writer of them: at least, there is no evidence, from the meagre record of the Convention, that that body ever entertained them. For instance, in one place, where the "Commonwealth of Massachusetts" is mentioned, there is written, in the margin, "Sovereign State." In the section defining the department of legislation to be formed by *two* branches, — a *Senate*, and *House*

of *Representatives*, — the annotator writes, "three, — Chief Magistrate, House of Peers, and House of Commons." Frequently, where "the General Court" is mentioned, the word "Parliament" is written. For "councillors and senators," the suggestion in the margin is for "peers." Against the ninth clause in the Declaration of Rights, where it is said that "all elections ought to be free, and all the male inhabitants of this Commonwealth, having sufficient qualifications," &c., is written, "and have not adhered to the enemy in the present war, Indians, negroes, and mulattoes excepted."

In concluding these remarks, it may not be considered out of place to state, that the first clause in the Massachusetts Bill of Rights — "All men are born free and equal" — is a slight alteration from the phrase as it was originally written, and as it stands in the text of the printed Report of the Committee. It there reads, "All men are born equally free and independent." In the table of "Errata," to which reference has already been made, at the end of the Report, are the words as they now stand.

This clause, as first written, and indeed, substantially, the whole of the first article of the Massachusetts Bill of Rights, was taken from the Virginia Bill of Rights, drawn up by George Mason, and adopted by the Convention at Williamsburgh on the 12th of June, 1776. In Mason's first draught, it reads, "All men are created equally free and independent." Subsequently, for "created," the words "by nature" were substituted.

In the Declaration of Independence of the United States, written by Mr. Jefferson, and reported by him to the House on the 28th of June, 1776, is the similar phrase, so often, of late years, the subject of comment, "All men are created equal."

NOTE. — A number of the articles in the Massachusetts Bill of Rights are taken, with alterations, from the Virginia Bill of Rights.

The President presented to the Society, amongst other books and pamphlets which he had brought with him from Europe, two books, in the German language, obtained in Berlin, relating to American history ; which, at his suggestion, were referred for examination to Mr. Sparks.

Hon. John J. Babson was elected a Resident Member, and Count Adolphe de Circourt, of Paris, an Honorary Member, of the Society.

The President communicated the following paper, which he had caused to be copied from the "Colonial Series," vol. v., 1630, in the State-paper Office in London : —

A Note of the Names of the Principall Undertakers for the Plantation of the Mattachusetts Bay, in New England, that are themselves gonne over with their Wives and Children.

Mr. Joh. Winthroppe, Esqr., Governor, and three of his sonnes.
S^r Rich. Saltonstall, Knight, three of his sonnes, and 2 daughters.
Mr. Isaake Johnson, Esq., and the Lady Arbella his wife, sister to the Earle of Lincolne.

Mr. Charles Fines, the said earle's brother.
Mr. Dudley, his wife, 2 sonnes, and 4 daughters.
Mr. Coddington and his wife.
Mr. Pincheon and his wife and 2 daughters.
Mr. Vassall and his wife.
Mr. Revell.

(Indorsed)
For the Right Honorable the Lord Carleton.

This communication was referred to Mr. Savage, who subsequently furnished the following remarks upon it : —

Mr. Savage's Report.

On the foregoing paper, or note, it is easy enough to supply explanation of most of the points that naturally are suggested by the names of only nine of the principal undertakers. It seems probable that all these gentlemen, except Fines, were assistants; and Fines is named because he was brother of the Lady Arbella. Also that all these assistants, except Revell and Pynchon, had passage in the admiral-ship the "Arbella;" for Revell came in the "Jewell," of which he was part owner, though he was part owner of the flag-ship as well. Pynchon was probably in the "Ambrose," the rear-admiral ship. It is, however, of more interest to see the other points of connection with our country as in each person ascertained. I think no other assistants came that season, except Rossiter and Ludlow; and they came, a few days earlier, to Dorchester.

With Governor Winthrop, the three sons were Henry, Stephen, and Samuel: but Henry lost his passage in the "Arbella" by going ashore at Cowes with young Mr. Pelham, and they got on board of the "Ambrose" or the "Talbot;" and Henry was lost by drowning, at Salem, the day of landing, as may be inferred, 1st or 2d July.

Saltonstall was accompanied by his sons, Richard, Henry, and probably Samuel; beside daughters Grace and Rosamond. Neither Sir Richard nor Governor Winthrop brought a wife, — the former having none; and the wife of Governor Winthrop was left in England, to be attended to, and brought over next year, by his eldest son.

Johnson brought his wife, who died, in a few days after reaching shore, at Salem; and in a few weeks he followed her, and to the same resting-place, in my opinion.

Fines had slight ties to this shore after the death of his sister and her husband; and as nothing is ever told of him after, on this side, at least, of the Atlantic, I doubt not that

he went home in the autumn of the first year. He must ever be remembered as one of the signers, on board the "Arbella," 7th April, 1630, of the letter to our brethren of the Church of England, written from Yarmouth.

Of the *four* daughters of Thomas Dudley, in 1630, the names are more confidently known than those of the *two* sons. Samuel was probably the *oldest*; and we never positively heard that he was not the *only* son, before the Governor Joseph, born by the second wife (taken long after his father settled at Roxbury). A dim conjecture, that a son Thomas was bred at Emanuel College, Cambridge, there gaining his degrees in 1626 and 1630,—as uttered in a note to Winthrop's History, i. 51,—is followed by denial that he came to our country. The daughters were Ann, Patience, Sarah, and Mercy.

Mr. Coddington's wife died in the first season; and in April, 1631, he went home to obtain another wife, with whom he came again in 1633.

Pincheon, or Pynchon, brought three daughters, instead of two, and son John besides, if the record of Roxbury Church, where his name stands first of the members, may not be distrusted. As the son was five years old, we may well accept the record of the daughters, Ann, Mary, and Margaret, as coming with the father, no less than the mother, who died soon after landing, and before return of the ship in which she came.

A reasonable doubt may be raised, whether, besides the *probable* error about the son of Dudley, and the *certain* deficiency of half the children of Pynchon, there be not redundancy in the wife of Vassall. If she came with her husband, 1630, four children, perhaps, ought to be added; but if they were left in England, as no doubt they were, the youngest, then only one year old, might naturally have claimed the mother's care. As the father hurried back from here by the earliest ship, going by the "Lion" to

Bristol, I should presume that he would not again drag the wife over the ocean ; but, when he brought her in 1635, she had two more and younger children : so that the probability is strong, that the official note is wrong.

Revell was an assistant, who never acted here, as he returned home before any of Winthrop's fleet sailed ; as each of them, probably, took some lading for a remoter port than the "Lion," that was sent to the nearest city in England to bring back provisions for the starving Colony in the winter. He was rich, and engaged years before in aid of the Plymouth Colony ; was chosen an assistant, under our charter, in October, 1629, — the day that Cradock resigned as Governor, and Winthrop was chosen his successor, — for the purpose of transferring the administration from Old England to New, as by Cradock had been advised.

DECEMBER MEETING.

A stated monthly meeting of the Society was held this day, Thursday, Dec. 13, at noon ; the President, Hon. Robert C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Society of Antiquaries, London ; the Royal Academy of Sciences, of Lisbon ; New-Jersey Historical Society ; Yale College ; the Town of Gloucester, Mass. ; C. G. Barney, Esq. ; B. P. Johnson, Esq. ; Miss M. F. Thomas ; W. H. Dennet, Esq. ; J. W. Gillespie, Esq. ; D. C. Gilman, Esq. ; J. L. Locke, Esq. ; Rev. Reeder Smith ; Dr. C. Wurzbach ; W. S. Rogers, Esq. ; and from Messrs. Bowditch, Green, Lamson, Robbins (C.), and Savage, of the Society.

The President remarked, that it would undoubtedly be considered proper that the recent visit of the Prince of Wales to our rooms should be the subject of a formal entry upon our records.

But this, he said, could only be done appropriately by some allusion being made to the fact at this or some other meeting of the Society. He therefore proceeded to state officially, that his Royal Highness, accompanied by the Duke of Newcastle, the Earl of St. Germans, Lord Lyons (the British minister at Washington), Major-General Robert Bruce (the governor of the Prince), Dr. Acland, and others of the party who had attended him from England or from Canada, visited our library on the 19th of October last, between four and five o'clock in the afternoon. They were conducted by the Mayor of our city, and the other members of the City Committee of Arrangements, immediately after the visit to Bunker Hill, and on their return from Harvard University and Mount-Auburn Cemetery. Could the time of this visit have been known beforehand with any degree of certainty, it had been the intention that all the officers of the Society should be summoned to attend, and our venerable senior member, Mr. Quincy, with them. As it was, however, Governor Washburn, Mr. Livermore, and Mr. Deane, were at the rooms, in addition to Mr. Everett, Mr. Ticknor, and the President, who had been requested to accompany the party from Cambridge.

The Prince was attracted by the portrait of our late munificent benefactor, Mr. Dowse, and inquired about the original, while he examined one or two of the most sumptuous volumes of the Dowse Collection. He looked at the old manuscript of Governor Winthrop's "New England;" at the epaulets of Washington, and at his autograph address to the officers of the army at Newburgh.

While looking at the latter, he intimated a disposition to possess an autograph of Washington; and one was presented

to him by the President, together with one of Franklin, before his departure the next morning, though not, of course, from the archives of this Society.

He looked at the swords of Miles Standish and the Pilgrim Fathers, and at the portraits of the Winslows and Winthrops and Endicott and Saltonstall. He glanced, in passing, at the watch of Colonel Francis, and at the sample of the tea which was thrown into Boston Harbor; and he paused longer to learn the story of the two swords bequeathed to us by Prescott, now crossing each other over our folding-doors, as an emblem of good-will between England and the United States.

And, lastly, the Prince inscribed his name in our Visitors' Register, with the date on which the visit occurred; and called on all his suite to write their names after his own, including the British consul at Boston, and the Mayor of Montreal. Lord St. Germans, having visited our rooms the day before, and having inscribed his name at that time, did not repeat his signature, although he was present with the Prince.

It will hardly fail to be observed, that the date which the Prince set down, with his own hand, as that of his visit to these rooms, and as that of his visit to Bunker Hill, was the anniversary of the memorable closing scene of our Revolutionary struggle at Yorktown. Indeed, there are many striking coincidences of date running through the whole visit of the Prince to America, beginning with the fact, that the best photograph of him, taken in London just before his departure, bears date the fourth day of July; but the fact that he should have visited Bunker Hill on the day of Yorktown, and then should have proceeded immediately to write down the date and his own name on our historical records, will be remembered, together with his visit to Mount Vernon, as welcome indications and assurances, that the animosities engendered by the Revolutionary struggles of the Colonies have ceased to exist in the hearts of the ruling family of Old England. May the amnesty be reciprocal and eternal!

The President presented from the Hon. John Rose, of Montreal, a medal, struck in Canada, in commemoration of the visit of the Prince of Wales and the inauguration of the Victoria Bridge.

The President offered to the acceptance of the Society a medal, struck in honor of Schiller's centennial birthday; also a medal of Louis Napoleon, commemorative of the alliance with Sardinia for the liberation of Italy; and a medal, in bronze, which had belonged to Alexander von Humboldt, and which Mr. Winthrop procured from the chamber in which he died, presenting an allegorical figure of Germany, with the legend, "Be united," struck in commemoration of a great exhibition of German art and industry.

The President called the attention of the members to the "Schiller Buch," a gift to the library from Dr. C. Wurzbach von Tannenberg, — a commemorative work, containing notices and illustrations of almost every thing connected with the life and labors of the great German poet; a complete list of his writings, and of every edition and every translation of them, and of all the formal notices and reviews of his various works; with engraved or lithographed copies of all the portraits and busts which have been made of him; lithographed autographs at different periods of his life; views of the house in which he was born, and of the various houses in which he lived; &c.

The President also presented to the Society "L'Appareil Polygraphique," or an account of the imperial printing-office at Vienna, at which the "Schiller Buch" was published, — the most complete printing establish-

ment in the world, to which a grand medal was assigned at the World's Fair in London, and which contains a larger variety of type for printing in different languages than can be found anywhere else; from which Bagster was obliged to procure the type for publishing his Polyglot Bible in England, and to which resort is frequently had for the publication of books in the Oriental dialects.

The President also presented a *fac-simile* of a curious autograph letter of Frederic the Great, and an account of the battle of Kunersdorf, with a *fac-simile* autograph of the same royal person. In this connection, the President read translations of the letter, and of portions of the pamphlet above named, which had been made, at his request, by our associate, Dr. Hedge. The translations were accompanied with a communication from Dr. Hedge, briefly explaining the circumstances which attended the battle of Kunersdorf, and commenting upon the autographs as illustrative of the character of Frederic.

Voted, That the thanks of the Society be given to Dr. Hedge for his kind attention to the President's request.

A note was read from Mr. Bowditch to Mr. Deane, Chairman of the Standing Committee, accompanying, and presenting to the Society, a copy of the "Patronymica Britannica," and also two small and elegantly bound volumes containing fugitive pieces published by the donor at different periods. Whereupon it was *voted*, That the President be requested gratefully to acknowledge these valued tokens of the interest felt in our Society by our esteemed associate during his protracted illness.

Mr. TICKNOR laid on the table, after explanatory remarks, sundry slips from the "Boston Courier," relating to a communication made by himself, at a meeting of this Society on the 28th of April, 1859, in regard to a new "History of the Conquest of Mexico," by Robert Anderson Wilson.

The President presented and read to the Society the following ballad, which he had caused to be copied, when he was in England, from "Colonial Series," vol. viii., No. 16, in the State-paper Office in London, as a curious illustration of the ridicule cast upon the early settlers of New England : —

A Proper Ballad, called the "Sommons to New England," to the Tune of "The Townsman's Capp."

Lett all the Purisidian sect,
I meane the counterfeit elect,
All zealous bankroute Punke devout,
Preachers suspended, rabble rout, —
Let them sell all, and out of hand
Prepare to goe to New England,
To build New Babell strong and sure,
Now called a church unspotted, pure.

There milke from springs like rivers flows,
And honey upon haythorne grows ;
Hempe, wooles, & flax there growes on trees ;
Their mould is fatt, & cutte like cheese ;
All fruit & herbes springs in the feilds ;
Tobacco in great plenty yeilds ;
And there shall be a church most pure,
Where you may finde salvacon sure.

There's venison, of all sorts, great store ;
Both stagg & buck, wilde goat & boare ;
And yet soe tame, as you with ease
May eat y^r fill, — take what you please.

There's beavers plenty ; yea, so many,
That you may have 2 skinnes a penny.
Above all this, a church most pure :
There to be saved you may be sure.

There's flightes of fowles doe cloude the light ;
And turkeys, threescore pounds in weight,
As bigg as ostridges. Their geese
Are sold wth thanks for pence a-peece.
Of duck & mallard, widgeon, teale,
Twenty, for 2 pence, make a meale.
Yea, & a church unspotted, pure,
Within whose bosom all are sure.

Loe, there in shoales all sortes of fish,
Of salt sea & of water fresh, —
King codd, pore John, & habberdines, —
Are taken wth y^r hooks & lynes :
A painfull fisher on the shore
May take of each twenty in an houre.
But, above all, a church most pure,
Where you may live & dye secure.

There, twice a yeare, all sortes of graine
Doe downe like hayle from the heavens raine.
You never need to serve or plough :
There's plenty of all things inough.
Wyne, sweet & wholesome, dropps from trees,
As cleere as christall, without lees.
Yea, & a church unspotted, pure,
From dreggs of Papistry secure.

Noe feasts, or festivall sett-dayes,
Are here observed. The Lord we praise,
Though not in churches rich & strong,
Yet where noe masse was ever sunge.
The bulls of Bason war not here ;
Surplis & capp dare not appeare.
Old order all they will abjure :
This church hath all things new & pure.

Noe discipline shall there be used :
 The law of nature they have chused.
 All that the spiritt seemes to move,
 Each man may take, & that approve.
 There's governm^t without command ;
 There's unity without a band ;
 A synnogogue unspotted, pure,
 Where lust & pleasures dwell secure.

Loe, in this church all shall be free
 T' enjoy all Christian libertye.
 All things made comon. To voyd strife,
 Each man may have another's wife ;
 And keepe a handmayd too, if need,
 To multiply, increase, and breed.
 And is not this foundacon sure
 To raise a church unspotted, pure ?

The native people, though yet wyld,
 Are all by nature kinde & mylde,
 And apt already (by reporte)
 To live in this religious sorte.
 Soone to conversion they'l be brought,
 When Warham's miracles are wrought ;
 Who, being sanctified & pure,
 May, by the Spirritt, them allure.

L'envoy.

Let Ansterdam send forth her bratts,
 Her fugitives & runnigates ;
 Let Bedlam, Newgate, & the Clinke
 Disgorge themselves into the sinke ;
 Let Brydewell & the Stewes be swept, —
 And all sent thither to be kept :
 Soe may *our* church, cleans'd & made pure,
 Keepe both itselfe & State secure.

Referred to the Committee of Publication.

Mr. WARREN presented, as a gift from J. Carson Brevoort, Esq., an engraved, and also a photographic copy of Pine's portrait of Washington, together with a *fac-simile* of Washington's original letter authenticating Pine's picture, taken in 1785.

Voted, That the President be requested to acknowledge this interesting donation, and to express to Mr. Brevoort the thanks of the Society.

Mr. MASON presented several valuable pamphlets, accompanying the gift with historical and biographical remarks.

JANUARY MEETING. — 1861.

A stated monthly meeting was held this day, Thursday, the 10th of January, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Commissioner of Patents; the State of Tennessee; the Smithsonian Institution; Henry Barnard, Esq.; J. B. Finlay, LL.D.; William W. Forbes, Esq.; Mrs. Eliza Gilpin; Lieutenant-Colonel James D. Graham; Hon. Hugh B. Grigsby; B. P. Johnson, Esq.; James Lenox, Esq.; Benjamin H. Rhoades, Esq.; Eugene Sanger; Sotheby and Wilkinson; and from Messrs. Bartlet, Green, Holmes, Quint, Robbins (C.), Savage, Webb, and Winthrop, of the Society.

The Corresponding Secretary communicated a letter of acceptance from Count Adolphe de Circourt, recently elected an Honorary Member of the Society.

Mr. WILLARD presented to the Society, and read to the meeting, the following letter, dated Boston, June 24, 1790, signed by a Committee of the Convention of the Congregational ministers of Massachusetts:—

BOSTON, June 24, 1790.

REV. SIR, — The Congregational ministers in the Commonwealth of Massachusetts, assembled in Boston on the 27th of May, 1790, —

Voted, That the Rev. Dr. Willard, Dr. Howard, Mr. Morse, Mr. Payson, and Mr. Thacher, be a Committee, in the name and behalf of the Congregational ministers of this Commonwealth, in convention assembled, to prepare, sign, and transmit to the Congress of the United States, a petition, requesting the attention of that honorable body to the subject of the several impressions of the Bible now making; representing the importance of accuracy in these impressions, and earnestly praying that they would take such measures as the Constitution may permit, that no edition of the Bible, or its translation, be published in America, without its being carefully inspected, and certified to be free from error.

Voted, That the same persons be a Committee to apply to the representative bodies of the other denominations of Christians in America, and to request their assistance and support in accomplishing so important and desirable an object.

Agreeably to the first of the above votes, we have forwarded a petition to Congress, praying that they would take into their consideration the interesting matter of printing the Bible, and direct to such measures, as, in their wisdom, may be thought proper to secure the public from impositions by inaccurate and mutilated editions of it. We consider this as a subject which equally concerns all denominations of Christians, as we all appeal to the Holy Bible as the standard of truth.

It is unquestionably of the highest importance, that this acknowledged fountain of truth be preserved pure and uncorrupted. This will not probably be the case if the matter is left wholly to the printers.

We therefore, as friends and brethren, united in promoting the same general cause, and as jointly concerned in preserving the purity of the Holy Scriptures, do, in behalf of the Convention, earnestly request the concurrence of the Episcopal clergy throughout the United States, or of their representative body, in petitioning Congress that they would so far interpose their authority as to prevent inaccurate and spurious editions of the Bible.

It was the wish of the Convention to have written, in the first instance, to your reverend body, and the other representative bodies of Christians in the several States, requesting that committees might be appointed by each to confer and unite with us in one petition, and thus to concentrate the whole Christian interest in America. But to accomplish this desirable object would have taken a long time; and it was thought the business was of immediate importance, as proposals for several editions of the Bible are now in circulation.

We take this opportunity to express our sincere desire to cultivate a friendly and Christian intercourse with the ministers of your denomination; as we are firmly persuaded that such an intercourse between Christians of different denominations and sentiments would have a happy tendency to harmonize them, to remove unreasonable prejudices, to promote a spirit of love and candor, and thus essentially serve the interest of our holy religion. It might also have a beneficial influence on the civil affairs of our country.

We wish you, sir, to communicate the foregoing to the largest representative body of the Episcopal Church in America, as soon as you have opportunity.

Wishing prosperity to the peaceful kingdom of our common Lord and Saviour,

We are, Rev. sir, your brethren in Christ,

JOSEPH WILLARD,	} Committee.
PHILLIPS PAYSON,	
SIMEON HOWARD,	
PETER THACHER,	
JEDH. MORSE,	

Rev. Dr. PARKER, Boston.

Mr. Willard stated that he had examined the House Journal from the end of May, 1790, to Jan. 6, 1791, and found no record of a petition from the Congregational clergy. He found, however, as follows; viz.:—

"Jan. 5, 1791. — Several petitions of the Baptist associations of New Hampshire, Massachusetts, Rhode Island, and Vermont, were presented and read, praying that Congress will adopt measures to prevent the publication of any inaccurate editions of the Holy Bible. *Ordered*, That the several petitions do lie on the table."

"Wednesday, Jan. 19, 1791. — A petition of the Baptist Stonington Association was presented to the House, and read, praying that Congress will adopt measures to prevent the publication of any inaccurate editions of the Holy Bible. — *Ordered*, That the said petition do lie on the table."

The President presented a bound manuscript copy of the "Catalogue of the Graduates of Harvard College," by James Winthrop, Esq., librarian from 1772 to 1787.

Mr. ELLIS stated that he was happy to fulfil a commission intrusted to him several years ago, — to procure for the Society the letters which were known to be in existence from Dr. Belknap to his friend Mr. Hazard. Through the liberality of Miss Elizabeth Belknap, he was now enabled to offer to the Society's acceptance the correspondence in question, covering a period of twenty years.

The thanks of the Society were voted to Dr. Ellis for his successful intervention in procuring these valuable papers. The letters were referred to the Standing Committee.

Mr. ROBBINS (C.) presented, as a gift from John A. Richardson, Esq., of Durham, N.H., the original manuscript of a charge by Judge Cushing to the Grand Jury in York County, June, 1780.

Rev. Edward Everett Hale, and Robert Bennett Forbes, Esq., were elected Resident Members.

Mr. SPARKS made a verbal report relating to two books in the German language,* which the President, through the kindness of Mr. A. W. Thayer, had obtained in Berlin, and had committed to him with a view to his examining the parts which relate to the American War. He had found that they contained an account of the raising of Hessian troops, critical remarks upon the military movements of our countrymen, and other interesting matter relating to the war of the Revolution.

Mr. Sparks read several extracts from a manuscript history of New England, written by Mr. Bennett in 1740, in which he also gives an account of his travels in this country, and of his impressions of Boston and its inhabitants. This book fell into the hands of Mr. William Vaughan of London, who gave it to Mr. Sparks about twenty years ago.

[By permission of Mr. Sparks, a more liberal selection from Mr. Bennett's manuscript than was communicated to the Society is here printed.]

BOSTON IN 1740.

Boston, being the principal town of any in New England, should, in propriety, have been first described; but intending to be something more particular in the description of that than any of the others was the reason of my deferring it till the last. And according to the best account I can meet with, together with the little observation I am capable of making upon viewing the several parts of it, I here present you with as follows.

Boston, the capital of New England, according to the account given me of it, is situated in forty-two degrees twenty-four minutes of north latitude, and seventy-one degrees western longitude. This town stands on a peninsula, or almost island, about four miles in

* "Betrachtungen über die neuere Kriegskunst, über ihre Fortschritte und Veränderungen und über die wahrscheinlichen Folgen welche für die Zukunft daraus entstehen werden. Vom General Baron von Ochs. Cassel, 1817." — "Biographie des Généraux von Ochs. Cassel, 1827."

circumference, at the bottom of a fine bay of the sea. At the entrance of the bay there are several rocks of great magnitude, the tops of which appeared considerably above the surface of the water at the time of our passing by them. There are also about a dozen little islands all in view as we approach the town, some of which are as fine farms as any in the whole country.

This town has a good natural security, in my opinion ; for there is great plenty of rocks and shoals, which are not easy to be avoided by strangers to the coasts ; and there is but one safe channel to approach the harbor, and that so narrow that three ships can hardly sail through abreast : but, within the harbor, there is room enough for five hundred sail to lie at an anchor.

The entrance to the harbor is defended by a strong castle, which they call Fort William, on which there are mounted a hundred guns, twenty of which lie on a platform level with the water, to prevent an enemy passing the castle ; which is a quarry surrounded by a covered way, joined with two lines of communication to the main battery. This battery is situated so near the channel, that all ships going up to town must sail within musket-shot of it. They have always one company of soldiers doing duty in the castle, even in time of peace ; but in time of war they are said to have five hundred : and so I was taught to believe they had now, till I saw the contrary. But there is such a number of men, who are excused all other military duty, on purpose to attend the service of the castle if need require it, whom they say they can call together in an hour's time.

About two leagues distant from the castle, on a rock, stands an exceeding fine light-house, at which there is a guard constantly attending to prevent surprise ; from whence they make signals to the castle when any ships come in sight, whether friend or foe : for no ship is permitted to pass the castle without examination, for fear they should bring any sort of epidemical sickness into the town ; and the captain is obliged to certify for all on board his ship before he can pass, and is liable to such fine and imprisonment as they shall think proper if he conceals any disease that is on board the ship. And in this they are extremely exact, and will not suffer any sick persons to come on shore, nor even any of the goods, until they have performed quarantine.

But when a signal is made from off the light-house to the castle of the approach of an enemy, if there be more than four or five

ships, then the castle thereupon gives a signal to the town ; and those of the town alarm the country by firing of a beacon. And for that purpose they have a very famous one on the north-west side of the town, erected on a hill ; for bulk and eminence, much like unto that in Greenwich Park, on which Flamstead House stands.

At the bottom of the bay there is a fine wharf, about half a mile in length, on the north side of which are built many warehouses for the storing of merchants' goods : this they call the Long Wharf, to distinguish it from others of lesser note. And, to this wharf, ships of the greatest burthen come up so close as to unload their cargo without the assistance of boats.

From the end of the Long Wharf, which lies east from the town, the buildings rise gradually with an easy ascent westward about a mile. There are a great many good houses, and several fine streets, little inferior to some of our best in London, the principal of which is King's Street : it runs upon a line from the end of the Long Wharf, about a quarter of a mile ; and at the upper end of it stands the Town House, or Guild Hall, where the Governor meets the Council, and House of Representatives ; and the several Courts of Justice are held there also. And there are likewise walks for the merchants, where they meet every day at one o'clock, in imitation of the Exchange at London, which they call by the name of Royal Exchange too, round which there are several booksellers' shops ; and there are four or five printing-houses, which have full employment in printing and reprinting books, of one sort or other, that are brought from England and other parts of Europe.

This town was not built after any regular plan, but has been enlarged from time to time as the inhabitants increased ; and is now, from north to south, something more than two miles in length, and in the widest part about one mile and a half in breadth : and according to the best account I have been able to come at, which is from their muster-roll, there is near three thousand houses, and about thirty thousand souls. There are three Episcopal churches, one of which is called the King's Chapel, and has a handsome organ, and a magnificent seat for the Governor, who goes to this place when of the Church of England ; and there are nine Independent meeting-houses, one Anabaptist meeting, one Quakers' meeting, and one French Church. There are sixty streets, forty-one lanes, and eighteen alleys, besides squares, courts, &c. The streets are well paved, and lying upon a descent. The town is, for the

generality, as dry and clean as any I ever remember to have seen. When we were upon the sea, that part of the town which lies about the harbor appeared to us in the form of a crescent, or half-moon ; and the country, rising gradually from it, afforded us a pleasant prospect of the neighboring fields and woods.

Of the Trades, Manufactures, and Clothing of the People of New England.

Boston is said to be not only the principal town of trade in New England, but also of any in all the British-American Colonies. They employ annually between three and four hundred ships, great and small ; and they also build abundance of shipping for the English and other European nations. They have likewise a whale and several cod fisheries, which are very considerable ; which, with their ship-building, is the chief support of the country. They trade to the Carolinas, and also to Jamaica and Barbadoes, and all the other West-India islands and plantations in general ; with whom they exchange their beef, pork, fish, and other provisions, and also what they call lumber (such as deal-boards, pipe and hogs-head staves, shingles, and such like commodities), for rice, pitch, tar, rum and sugar, and spices and logwood. Great part of the last-mentioned commodities they send to England in return for almost all sorts of English goods, but more especially clothing for men, women, and children. They have paper manufactured here, and some coarse woollen cloths ; but workmen's wages are so high in this part of the world, that they find it cheaper to import them from London : but there are some Irish people, which came over about seven or eight years ago, and are settled about sixty miles from Boston, who make pretty good linen cloth, and cheap, which serves some folks for ordinary uses. There are a good many hatters, too, in New England ; but they are chiefly employed in making up beaver-hats, which are sold cheaper here than in England : but the coarse hats they import from London, which comes much cheaper to the hatters than they can make them. There are several iron mines, too, in New England, and some very large iron-works, which furnish them with iron for most of their ordinary uses ; but the iron imported from England is counted the best, by far, to use about their shipping. There is a great deal of leather also that is manufactured here, and both tanners and curriers get

money very fast ; but the leather is not pretended to be near so good as that which is sent from England. There are also some copper mines in the Massachusetts Colony ; but they lie so far from the water-carriage, and the ore but poor, that they don't think it will answer the cost of digging of it. There are several distillers of rum, and sugar-bakers, in Boston, that carry on good trades : but the New-England rum is not so valuable as West-India ; nor is the sugar that's refined there equal to the best we have in London. Those which I have already mentioned are the chief manufactories carried on in New England, exclusive of bakers, butchers, tailors, barbers, smiths, carpenters, and other common artificers, which are necessary to the preservation of their lives and healths, which no civilized country can subsist without.

Of the Edibles, Potables, and Fowl of New England ; together with their Fruits, Roots, several sorts of Grain, and Trees.

Boston being the capital of New England, as London is of Old England, the country people find their account in bringing of their choicest provisions to this town ; by means of which, this place is well served with all sorts of eatables the country affords, many of which, as to the kind of them, are much the same as those we have in London. Their beef, mutton, and lamb are as good as ever I desire to eat : and as to their veal, it is not so white and fine, in common, as at London ; yet I have often met with it exceeding white, and fine as any I would wish to eat. And as to their pork, they challenge all the world, and will by no means admit that any we have in England is equal to it : and, indeed, I do think it very good ; but to say it exceeds what I have eat in England is more than I know how to do. They make but little bacon ; and that, in my opinion, is not half so good as ours : but they pickle their pork so well, that it answers the same end as fine bacon. Their poultry too, of all sorts, are as fine as can be desired ; and they have plenty of fine fish of various kinds, — all of which are very cheap. Take the butchers'-meat, altogether, in the several seasons of the year, and I believe it is about twopence per pound sterling ; though they will not allow it to be near so much if they are asked about it, because the best beef and mutton, lamb and veal, are often sold for sixpence per pound, of New-England money, which is some small matter more than one penny sterling. But I take my calculation to

be near the truth, from the observation I have made ; because, in depth of winter, the best butchers'-meat is sometimes a shilling a pound, and sometimes fourteen pence.

Poultry, in their season, are exceeding cheap : as good a turkey may be bought for about two shillings sterling as we can buy at London for six or seven ; and as large and fine a goose for tenpence as would cost three shillings and sixpence or four shillings in London. Fowls, too, are cheap in proportion : the first young ones that come to market are sold for about threepence ; and chickens, for about twopence. But the cheapest of all the several kinds of poultry are a sort of wild pigeon, which are in season the latter end of June, and so continue till September : they are larger and finer than those we have in London, and are sold here for eighteen pence a dozen (which is about threepence sterling), and sometimes for the half of that.

Fish, too, is exceeding cheap. They sell a fine fresh cod that will weigh a dozen pound or more, just taken out of the sea, which are generally alive, for about twopence sterling. They have smelts, too, which they sell as cheap as sprats are in London. Salmon they have, too, in great plenty, which is as fine as any I ever eat of, anywhere in my life ; and those they will sell for about a shilling a piece, which will weigh fourteen or fifteen pounds. They have flounders and plaice too, and eels, and likewise mackerel, in their season ; and several other sorts of fish not known in England, — all of which are good and cheap. And they have, likewise, plenty of oysters, which they say are finer than ours in London : but I must beg leave to differ with them in that ; for, in my opinion, they are not near so fine as some of ours. They are, for the most part, very salt ; and taste very copperish, as I think. Lobsters are plenty, and very good and cheap, here ; and many of them much larger than any I ever saw in England : but there are sizable ones too ; and I have bought larger for about three halfpence a piece (not by chance, but may have them so every day) than ever I saw sold in London, at the cheapest, for eighteen pence. They have venison very plenty also, which had almost slipped my memory : they will sell as fine a haunch for half a crown as would cost above thirty shillings in England ; and I think the venison is not, in the least, inferior to that we have in England. Bread is something cheaper here than in London, but is not near so good in common. Butter is very fine, and cheaper than ever I bought any at London ; the best is sold all the

summer long for about threepence per pound : but as for cheese, 'tis neither good nor cheap. Milk is sold here for much about the same price as at London ; only here they give full measure.

As to drink, they have no good beer in this country : Madeira wines, rum-punch, are the liquors they drink in common. With their victuals, the generality of the people drink cider. But there are several brewers in the town that brew for the shipping, and serve some private families with table-beer, which is very cheap, — less than half the price we pay at London. But cider being cheap likewise, and the people used to it, they don't encourage malt liquors. They pay about three shillings sterling a barrel for cider.

Their fuel is altogether wood, and is one of the most expensive articles of housekeeping in Boston ; but, up in the country, they have it for cutting.

As to the several sorts of roots used for sauce to their meats, they have most of the kinds we have in England, which originally came from thence : besides which, they have several of the natural growth of the country. They have a variety of the fruits, too, of the natural growth of the country, which were all wild when the English went first to America ; such as grapes, strawberries, raspberries, huckleberries, cranberries, and also several sorts of wild cherries, with many other sorts of wild fruits eaten by the Indians. And now they have most of the kinds of fruits we have in England, — apples and pears in great abundance, and also Kentish and several other sorts of cherries, and plums of various sorts, but not altogether so fine as in England. They have fine melons, too, vastly cheap and plenty ; and all sorts of beans and pease and salad herbs. They have run mightily into orcharding in this part of the world. At the latter end of the summer, which way soever we travel, the fruits hang so thick by the wayside, that one may gather them from the trees with almost as little trouble as to take them from one's own pocket. There are great plenty of fine peaches, which grow all upon trees, and are the natural growth of America. Some of them are as fine as the best we have in England, which we buy here for about threepence a peck : the common sort are so little regarded, that they feed their hogs with them. . . .

Of their Education, Manner of keeping the Sabbath, providing for their Ministers, and maintaining their Poor.

Their observation of the sabbath (which they rather choose to call by the name of the Lord's Day, whensoever they have occasion to mention it) — it is the strictest kept that ever I yet saw anywhere. On that day, no man, woman, or child is permitted to go out of town on any pretence whatsoever; nor can any that are out of town come in on the Lord's Day. The town being situated on a peninsula, there is but one way out of it by land; which is over a narrow neck of land at the south end of the town, which is enclosed by a fortification, and the gates shut by way of prevention. There is a ferry, indeed, at the north end of the town; but care is taken by way of prevention there also. But, if they could escape out of the town at either of these places, it wouldn't answer their end: for the same care is taken, all the country over, to prevent travelling on Sundays; and they are as diligent in detecting of offenders of this sort, all over the New-England Government, as we in England are of stopping up of highways, — more; and those that are of the Independent persuasion refrain any attempts of this kind, in point of conscience. And as they will by no means admit of trading on Sundays, so they are equally tenacious about preserving good order in the town on the Lord's Day: and they will not suffer any one to walk down to the water-side, though some of the houses are adjoining to the several wharfs; nor, even in the hottest days of summer, will they admit of any one to take the air on the Common, which lies contiguous to the town, as Moorfields does to Finsbury. And if two or three people, who meet one another in the street by accident, stand talking together, — if they do not disperse immediately upon the first notice, they are liable to fine and imprisonment; and I believe, whoever it be that incurs the penalties on this account, are sure to feel the weight of them. But that which is the most extraordinary is, that they commence the sabbath from the setting of the sun on the Saturday evening; and, in conformity to that, all trade and business ceases, and every shop in the town is shut up: even a barber is finable for shaving after that time. Nor are any of the taverns permitted to entertain company; for, in that case, not only the house, but every person found therein, is finable. I don't mention this strict observation of the Lord's Day as intended rather to keep

people within the bounds of decency and good order than to be strictly complied with, or that the appointment of this duty was only by some primary law since grown obsolete ; but that it is now in full force and vigor, and that the justices, attended with a posse of constables, go about every week to compel obedience to this law.

As to their ministers, there is no compulsory tax upon the people for their support, but every one contributes according to their inclination or ability ; and it is collected in the following manner : Every Sunday, in the afternoon, as soon as the sermon is ended, and before the singing of the last psalm, they have a vacant space of time, in which there are three or four men come about with long wooden boxes, which they present to every pew for the reception of what every one is pleased to put into them. The first time I saw this method of collecting for the parson, it put me in mind of the waiters at Saddler's Wells, who used to collect their money just before the beginning of the last act. But notwithstanding they thus collect the money for the maintenance of the clergy in general, yet they are not left to depend entirely upon the uncertainty of what people shall happen to give, but have a certain sum paid them every Monday morning, whether so much happens to be collected or not ; and no one of them has less than a hundred pounds sterling per annum, which is a comfortable support in this part of the world.

At a town which is about six miles from Boston they have a University, called Cambridge, where their clergy and other young gentlemen are sent to be educated. It consists of three colleges ; viz., Harvard College, Stoughton Hall, and Massachusetts Hall. They have a library there too ; but they say they are in want of some modern books, and also of some endowments for the reading of public lectures in their colleges by professors of several sciences. Besides this University, there are several other seminaries of learning for people of all ranks ; and, in general, they are as careful of the education of their children as in England. The young ladies are taught fine works, music, dancing ; and have every other qualification that may render them agreeable.

They also provide very well for their poor, and are very tender of exposing those that have lived in a handsome manner ; and therefore give them good relief in so private a manner, that it is seldom known to any of their neighbors. And for the meaner sort they have a place built on purpose, which is called the Town Alms-house, where they are kept in a decent manner, and are, as I think, taken care of

in every respect suitable to their circumstances in life ; and, for the generality, there are above a hundred poor persons in this house ; and there is no such thing to be seen in town nor country as a strolling beggar. And it is a rare thing to meet with any drunken people, or to hear an oath sworn, in their streets.

Of the Government, Laws, Manner of levying of their Taxes ; and also of their Money, or rather the Currency of New England.

The government of New England is that which is called a charter government, and consists of Governor, Council, and House of Representatives ; which together compose the Legislature, as the King and Commons do in England. But, as I have before observed, they are, by this last charter, barred of several privileges they enjoyed before, and which are common to the other charter governments ; such as the electing their Governor and Council, and also their magistrates in general, which is now reserved to the Crown. But the people still elect their Representatives, as the freeholders do the members of Parliament in England.

All the laws enacted here are to be sent over to England for the king's approbation ; and, if not repealed within three years, the Crown has not any power over them afterwards. But though their laws are thus sent over for approbation, yet they are in force from the time of their enacting, and, as often as need requires, are put in execution. The governor is captain-general-in-chief of all his majesty's forces, and, as such, has the power of the militia entirely in his hands ; and the judges, justices of the peace, and sheriffs, and all others to whom the execution of the laws are intrusted, are appointed by him, also with the advice of the Council, who are all of them his creatures ; for he has a negative upon every one of them when chosen, which is peremptory and unlimited, so that he is not obliged to give any reason for his objecting to them : so that he may be said to choose the Council too, notwithstanding the House of Representatives have the trouble, and are complimented with the name of doing it.

The income of the office of Governor of New England is not so considerable as several of the other governments of America, notwithstanding it is a larger government than any one of them. A gentleman who is a principal person in their House of Representatives assured me that it was not worth above eight hundred pounds

sterling *communibus annis*. They have, for some years past, had a contest with the crown of England about the settling of a salary of a thousand pounds per annum certain; but they will by no means come into that, though they say they are willing to do all in their power for a good governor. Yet, as they are not obliged, by their charter, to any certain sum or settlement, they will not easily be persuaded to saddle themselves in that manner: because, in the first place, they say they cannot tell how soon, after that is done, some hungry creature of the Crown, or also of the prime-minister, may be quartered upon them, and they obliged to pay him for plundering of them; and, in the next place, what they should then give by compulsion they would be sure to have no thanks for, though it should be more than he deserved or they could well spare. The present governor, Jonathan Belcher, Esq., is a native of New England; and, being in great esteem among them when in a private capacity, they sent him over to England as their agent, to oppose the then Governor Burnett, who was then making application for his salary to be ascertained and settled: and during this gentleman's stay in England, Governor Burnett happening to die, he, Mr. Belcher, instead of opposing the settling of the governor's salary, found means to get himself appointed their governor, which they say was by purchasing of it of Sir Robert Walpole; and, having so done, they say their now governor was as tenacious for settling the salary as the gentleman he was sent over to oppose. This behavior seems to have laid a foundation for endless jealousies between the governor and people; for although this gentleman was born, and bred up, amongst them, and a member of their darling Independent Church, and had every other qualification that might render him acceptable to these people, and whom, too, in all probability, they would have chosen for their governor sooner than any one gentleman in the country, if they had been at liberty to elect their own governor as formerly, yet coming to the government in this manner, and altogether unexpected to them, they never after like him, and imagine that the governor has sold them to Sir Robert, and, in consequence of that, distrust him in every thing he says or does in relation to government. And the House of Representatives are so backward to every thing he recommends, that they will not provide for the necessary support of their government, if he is more than commonly earnest in recommending of it to them; which makes things of that kind go heavily on.

As to the laws, if any one inquires after them, their lawyers say that the practice here is much the same as in England; but, upon attending their courts, they seem very different to what I have seen in England. Their trials by jury are all at bar: they have no such thing as *nisi prius*; nor do they make use of a book to swear either jury or witness on. Their manner of swearing their juries and witnesses is somewhat like our arraigning of prisoners. The officer that swears them first calls them by their names; and then, bidding them hold up their hands, he repeats the form of the oath to them (which differs also from ours): which being ended, the party lowers his hand to its proper place, and, without any other sign of assenting, is said to be sworn. Nor do the jury consider of their verdicts in every cause singly, as in England, but jumble six or seven of them together; and they will very frequently rise in the middle of a cause, if they are hungry at noon, or sleepy at night, and let the jury wander where they please, without taking the verdicts in those causes which they have gone through.

They have another method of practice that to me don't seem very agreeable: and that is, if any of their witnesses don't care for being present in court at the time of the trial of the cause, they take them before some justice of peace, where what they have to say is committed to writing, and sworn; and this is admitted as evidence, equal to the witnesses being present. This, in England, would be thought very strange practice, and big with great inconveniences, and more too, perhaps, than I am capable of apprehending; but, if such a custom was to prevail in England, there are some attorneys that would seldom want evidence sufficient to answer any end they had in view, if they could establish it with so much ease and privacy, without being examined or properly interrogated. But, if there was no other inconvenience than that of losing the benefit of cross-examination in court, — by which means not only the force of the evidence is much abated very often, but witnesses are more cautious of what they swear in the face of the country than when they do it in secret; nor would it be thought proper, in England, to acquaint a justice of peace with that which would be material evidence in a cause of any consequence, — these reasons already mentioned are therefore sufficient to show the danger and weakness of this sort of practice.

For the better security of their conveying their lands, mortgaging or otherwise alienating their several kinds of estates, there is an office kept in every county for the entering and enrolling the deeds,

after the grantor has acknowledged them before some justice of peace ; and this, they say, effectually prevents frauds in this respect. All kinds of their proceedings at law are, and ever were, in English, here ; but, notwithstanding that, they make use of more technical words than the gentlemen in Westminster Hall. They litigate suits here very easy and cheap, compared with ours in England, for less than a tenth part of the cost at present ; but how long it will remain so is something doubtful with me : of which, more anon.

They don't admit of any special pleadings nor demurrers ; but the general issue is pleaded to all, and the special matter allowed to be given in evidence : which saves both time and expense. Nor will they suffer a writ to be abated for a little defect in form, or a slight misnomer, or any other informality or little niceties in clerkship. And, for despatch, the declarations are made part of the writs in which the case is fully set out ; and, if it be a matter of account, the account is annexed to the writ, and copies of them delivered to the defendant : which being done within fourteen days of the sitting of the court, he is then obliged to plead, and take short notice of the trial. They have no tedious suits in equity (falsely so called) ; but justice and equity are here understood to mean one and the same thing.

The judges are not bound down by any strict rules of law, but are at liberty to make such equitable constructions as they think proper, in cases that require them so to do. They have a superior court ; and also an inferior court, which is properly a court of common pleas ; for, in this latter court, all suits in relation to right and property are commenced. But, from the judgment of this inferior court, they have a power of appealing to the court above ; which originally was intended in extraordinary cases only, but now has become common : and from hence it is that I apprehend they may in time be led into great inconveniences and delays which will be prejudicial to them.

And, indeed, I think it's a great inconveniency to honest suitors already. For the inferior court, at this day, is little better than a stumbling-block in the road to justice ; for, after a fruitless travelling through this court, which side soever the verdict goes against generally appeals to the court above, for the sake of delay, as writs of error are generally brought in England. But that which greatly contributes to delay here is, they have commonly a second hearing of the cause in the inferior court, before they remove it to the superior :

and this second trial they call "reviewing of the cause;" but it is what is called, in England, "trying of the cause."

And when they come to the court above, after the cause has undergone a litigation there, then follows a second trial there also, which they also call "reviewing of the cause;" and thus three or four causes arise out of every one. By which means, it is commonly two years, and often longer, before any one can take the benefit of his suit, supposing death, nor any other accident, to befall the parties in the intervening space of time, which is possible there may; and, if it should so happen, the suitor is sure to be much longer delayed, if not totally deprived of his property in the end. There is another privilege they have, which, without doubt, was intended for their good, though commonly now made use of to oppress one another: I mean, that of appealing over to England to the King in Council, as it is called. I have heard many of them argued at the cockpit, when attending on my Lord Chief-Justice. This right of appealing does not extend to any thing in controversy that is under the value of four hundred pounds sterling; but they may, notwithstanding that, appeal over, by way of complaint, in lesser matters, where they suggest that justice has been denied them here. So that the above limitation is, in fact, no bar to any one appealing in the most trivial matters, if the expense is not too great; for it is easy to suggest the want of justice, when they know that will answer the end. This gives the rich, litigious man an opportunity to oppress his poor neighbor.

As to criminal matters, they are very tender in punishing of them; and very rarely put any to death, unless it be for murder. By their law, robbing on the highway, or burglary, for the first offence, branding on the forehead only; for the second offence, branding again and whipping; and, for the third offence, death. Blasphemy is punished with death. A child, for striking or cursing a parent, to be punished with death, if upwards of sixteen years of age. Cruel punishments or correction of either children, servants, or slaves, prohibited. Nor may any court of justice condemn any offender to receive more than forty stripes. No orphan may be disposed of by their guardian, without the consent of one of the courts. The minority of women, in respect of marriage, is determined to be under sixteen. They have many other laws relating to their religious and civil government; but I take those already mentioned to be the most material.

To the inferior court they have four judges, and to the superior court they have five judges. The reason they give me for their having five judges in the superior court is, that it prevents causes being hung up, by the judges being equally divided in their opinions in points of law; and they insist upon it, that we in England are defective in not having an odd one upon the bench, to prevent the like inconveniences. I do remember, indeed, that in our court of common pleas, in the reign of Edward III., the history of those times mentions nine justices to have been in that court at one time; in King John's time, six; and in Edward I.'s time, five. All the difference in either of the courts here between chief justices and puisnes is, that the writs are tested in the names of the former; their honor, power, and salaries being equal.

The judges here have no robes, nor other marks of distinction, to denote their dignity, nor officer of State of any kind whatsoever. Their judges' pay is exceedingly poor: it is no more than five hundred pounds per annum, of their currency; which is short of one hundred pounds sterling. There are no regular counsel at the bar; but the attorney, by the general appellation of "lawyer," conducts the cause from first to last. But, were you to hear them shriek and scream out their oratory before the court and jury, you would think they as well deserved to be compared with our solicitor-general, or some other of the first-rate gentlemen at the bar, as a common ballad-singer does with the celebrated Faranello.

They don't make up any record of the causes, as we do, at *nisi prius*; but the attorney reads the complaint contained in the declaration, and, at the same time, acquaints the court with the nature of the proof, and so proceed to give evidence. But notwithstanding they differ very much from what I have seen in the courts in England, yet I think the judges seem to aim at doing impartial justice between the contending parties, and hear both sides with all the temper and indulgence that possibly can be, so long as they have any thing to offer; and, if either the plaintiff or defendant think proper to say any thing in their own cause, the court never refuses to hear them, and all the judges sit in every cause.

Their method of raising money for the use of the public is by these three ways, — by a land-tax; a poll-tax upon the males only; and also by a tax upon personal estates, which they call the "faculty," but we in England call it stock. This tax upon land is not like ours in England, that takes a fourth part of a man's estate, and, if

in houses, sometimes, as it may happen, the better half. The tax upon land here don't amount to a penny an acre, sterling; and the other taxes are equally easy in their nature. The manner of levying and collecting their taxes here is something like unto what I have often wished might take place in England, instead of the people being for ever harassed with tax-gatherers at their doors, of various kinds; which are now become almost as numerous and odious in England as the publicans formerly were among the Romans. The government here comprises all their wants in one, — parochial and every other demand they have upon the people, — of which they make out a bill once a year, mentioning the several particulars that each house is chargeable for, with the sum total at the bottom, and time given for payment, — which is generally about two months after the delivery of the bills; which being paid, they rest undisturbed till that time twelve-month comes about again. And, if there be any surplus, it is applied to the next year's accounts; and the people are sure to have the benefit of it, for they have no placeman nor secret services to provide for as yet. Their representatives are paid for attending on the public business, at so much per diem, as the Parliament in England formerly were; and, as those gentlemen are liable to pay equally with others, they are as watchful as possible to prevent all manner of unnecessary expenses. And, as the people know their representatives gain by every single penny they save the public, it prevents all jealousies of their doing them justice, and, at the same time, moves them to pay their taxes with great cheerfulness.

Money, or Currency.

As to money, they have no sort of coin among them, — nothing but paper bills, which are issued by the Governor and Council; but, being made current, they answer the same end as money among themselves. And the people in common had much rather take those bills for any thing they sell than gold or silver, notwithstanding many of them are so miserably fractured, that, in passing from one to another, they often fall into three or four pieces; and many of them are joined together in several places, and are so obliterated with their being often handled, that they are difficult to be understood by those that are unused to them. But, upon application to the treasury, they change them without any expense. The discount between those bills and sterling is four hundred and fifty cents at present; that is, five hundred and fifty pounds of this currency is equal to one hundred pound

sterling. But they are variable ; being governed by the rise and fall of bills of exchange. Some of those bills are so low as threepence ; which is something more than a penny sterling. English half-pence are much used here for change, and are very valuable here. They pass current here at threepence apiece ; which is twopence in every shilling sterling above the common course of exchange. I have made inquiry among the merchants of the reason of their being without a coin ; and they say the balance of trade with England is so much against them, that they cannot keep any money amongst them : of which they have had the experience, having once had a coin of their own, but were soon stripped of it, so that they had not enough left for their necessary uses ; and that obliged them to have recourse to this method of making bills. There is still a great deal of both English and foreign gold and silver in the hands of the merchants ; but they use it only as merchandise, and buy and sell it only by weight, to send to England in return for goods. And the country folks are all of them so averse to any sort of coin, that one may as well offer them pebble-stones as gold and silver for any thing one wants to buy of them ; and they will much sooner credit any stranger that comes from England than take their money, unless it be half-pence.

Of their Cattle for the Coach, Saddle, and Ordinary Draught ; with their Manner of Travelling, Diversions, and Amusements.

There are several families in Boston that keep a coach, and pair of horses, and some few drive with four horses ; but for chaises and saddle-horses, considering the bulk of the place, they outdo London. They have some nimble, lively horses for the coach, but not any of that beautiful large black breed so common in London. Their saddle-horses all pace naturally, and are generally counted sure-footed ; but they are not kept in that fine order as in England. The common draught-horses used in carts about the town are very small and poor, and seldom have their fill of any thing but labor. The country carts and wagons are generally drawn by oxen, from two to six, according to the distance of place, or burden they are laden with. When the ladies ride out to take the air, it is generally in a chaise or chair, and then but a single horse ; and they have a negro servant to drive them. The gentlemen ride out here as in England, some in chairs, and others on horseback, with their negroes to attend them. They travel in much the same manner on business as for pleasure, and are attended

in both by their black equipages. Their roads, though they have no turnpikes, are exceeding good in summer; and it is safe travelling night or day, for they have no highway robbers to interrupt them. It is pleasant riding through the woods; and the country is pleasantly interspersed with farm-houses, cottages, and some few gentlemen's seats, between the towns. But the best of their inns, and houses of entertainment, are very short of the beauty and conveniences of ours in England. They have generally a little rum to drink, and some of them have a sorry sort of Madeira wine. And to eat they have Indian corn roasted, and bread made of Indian meal, and sometimes a fowl or fish dressed after a fashion, but pretty good butter, and very sad sort of cheese; but those that are used to those things think them tolerable.

For their domestic amusements, every afternoon, after drinking tea, the gentlemen and ladies walk the Mall, and from thence adjourn to one another's houses to spend the evening, — those that are not disposed to attend the evening lecture; which they may do, if they please, six nights in seven, the year round.

What they call the Mall is a walk on a fine green Common adjoining to the south-west side of the town. It is near half a mile over, with two rows of young trees planted opposite to each other, with a fine footway between, in imitation of St. James's Park; and part of the bay of the sea which encircles the town, taking its course along the north-west side of the Common, — by which it is bounded on the one side, and by the country on the other, — forms a beautiful canal, in view of the walk.

Their rural diversions are chiefly shooting and fishing. For the former, the woods afford them plenty of game; and the rivers and ponds with which this country abounds yield them great plenty, as well as variety, of fine fish.

The government being in the hands of dissenters, they don't admit of plays or music-houses; but, of late, they have set up an assembly, to which some of the ladies resort. But they are looked upon to be none of the nicest in regard to their reputation; and it is thought it will soon be suppressed, for it is much taken notice of and exploded by the religious and sober part of the people. But, notwithstanding plays and such like diversions do not obtain here, they don't seem to be dispirited nor moped for want of them; for both the ladies and gentlemen dress and appear as gay, in common, as courtiers in England on a coronation or birthday. And the ladies here visit, drink

tea, and indulge every little piece of gentility, to the height of the mode; and neglect the affairs of their families with as good a grace as the finest ladies in London.

The President communicated the following letters, which had been caused to be copied, and kindly sent to him, while in England, by W. Noël Sainsbury, Esq., who is about to publish an elaborate Calendar of the Colonial State Papers preserved in the State-paper Department of her Majesty's Public-record Office. They are found on pages 63 and 67 of vol. vi. of "Colonial Correspondence."

John Winthrop to John White.

JULY 4. 1632.

REVEREND & WORTHYE SIR, I salute you in the Lorde, beinge much comforted to heare of your healthe & in the hope at lengthe to see & enjoye you heere that you may reape some fruite of all your labours care & coste bestowed upon this worke of the Lorde.

I wrote to you by the last return, how I had undertaken to paye them of Dorchester for Jo. Gallop & Dutche theire wages which M^r Ludlowe did accompt to receive part heere & part in England so as I marvayle you should have any further trouble about it. I have also payd Jo: Elford the remainder of his wages being xi*l*. & other accounts heere, so as I thinke there is now nothing to be demanded for suche reckonings. I have disbursed above 300*l*. for the companyes engagements heere but I have some cattle & olde kettles &c for it, & I hope more then enoughe to satisfie me.

I have muche difficultye to keepe John Galloppe heere by reason his wife will not come, I marvayle at her womans weaknesse, that she will live myserably with her children there, when she might live comfortably with her husband heere. I praye perswade & further her coming by all meanes, if she will come let her have the remainder of his wages, if not let it be bestowed to bring over his children, for so he desires. It would be above 40*l*. losse to him to come for her.

The Surveyor of our Ordinance is now returned home, we were lothe to part with him, but his longing after his native countrye will

not be stilled. He hath received of me xii^l. 16s. for a yeare & quarter service & 5^l. I procured him from the Court (thoughe I am forced to disburse it) his diet he hath had of me with his Lodging & washing all the tyme he hath been heere, yet if his passage be payd he will not have above 8^l. lefte which will not suffice to apparrell him & carrye him into Germanye. I praye Sir, make use of your old facultye to helpe him with some small matter more for his better accommodation *

John Gallop hath written to some of your neighbours for 12 Dozen of Cod Lines. If he provide them & bring them to you I praye deliver him this bill inclosed, if not I desire you to furnish us so farre as this bill will goe & some Cod Hookes also. Thus earnestly desiring your prayers & longing for your presence I commend you to the Lord & rest

Your assured in the Lords worke

JO: WINTHROP.

MASSACHUSETTS July 4th 1632

I would send salutations to my Brother & Sister Staiton (?) but feare they are dead for I have written divers Letters to them but never received anye.

(Addressed)

To his Reverend & verie loving Freinde Mr. JOHN WHITE,
Minister of the Gospell these delyver

[Bill inclosed in the above letter.]

BROTHER DOWNINGE, I praye paye unto this bearer by the allowance of M^r John White of Dorchester twelve pounds It is for fishing lines to be sent me into Newe England So I rest

Your loving brother

JO: WINTHROP.

MASSACHUSETTS IN NEW ENGLAND

July 4. 1632.

* The Records of the Colony, as recently published by the State, disclose the unfamiliar name of "the Surveyor of our Ordinance," mentioned in the foregoing letter.

At a Court of Assistants, 1th March, 1630-1631, "Jost Weillust is chosen Surveyor of the ordinance & cannouncere, for which hee is to haue allowed him 10^l. p^r ann."—Vol. i. p. 83.

At a Court, July 3, 1632, "It is ordered, that Joist Weillust shall haue allowed him v^l. towards his transportacon into his owne country, whith^r, according to his desire, hee hath free leaue to goe."—*Ib.*, p. 97.

John Winthrop & John Wilson to Doctor Stoughton.

OCT^r 1632.

REVEREND & WORTHY SIR, We may be bould to let you knowe (upon certaine intelligence which hath come to us) that we have hearde with much joye to our hearts of the disposition of your thoughts towards us, or rather towards the Lords worke begunne heere, for the spreadinge of the Gospell in these Western parts of the World. Withall we have taken notice of that good reporte you have amonge the Saints, & of those gifts the Lord hath furnished you with for this service. Whereupon we thought good to let you understand & to give you what firm assurance we may of our stronge desires towards you. We meane not of our selves onely but of the Church of Boston whereof we are and althoughe we dare not press you with importunitie of Arguments (beinge conscious of our owne unworthynes of so great a blessing) to come into New England and helpe us, yet we assure you it would muche adde to the Comfort of our selves & our incouragement in the hope of muche successe in this way the Lord hath Sett us in, if it may please him to send you unto us, by the return of this bearer with a minde so prepared, as upon your discerninge the state of our Congregation & the affections of our people towards you, & our acquaintance with you, & knowledge of your abilityes, you might be joyned to us in the office of the Ministrye. Now good Sir, we beseeche you that this may suffice to perswade your hearte this motion proceed from the trueth of our desires towards you and the apprehension of our owne want of suche helpe as the Lord hath enabled you to afforde us; & for all other matters which you shall desire to be informed of, to receive satisfaction from this bearer M^r Peirce, our most faithfull freind & brother in Christ till whose returne (by the good providence of the Lorde) we shall sitt downe & expect your resolution, in the meane tyme we crave the helpe of your prayers & so comendinge you & all yours to the Lords most just & holy disposinge in this & in all your occasions, with most hearty salutations we take leave & rest

Yours Lowly in the Lorde

JO : WINTHROP
JOHN WILSON

BOSTON IN MASSACHUSETTS IN NEW-ENGLAND
October 1632

(addressed)

To our Reverend & Right Worthy Freind Mr. DOCTOR STOUGHTON

These del;

The President also communicated the following valuable historical papers, which he had himself caused to be transcribed from the Colonial Series in the same office : —

Narrative [addressed to Secretary Coke?] concerning the settlement of New England. — 1630.

RIGHT HON^{BLE} Concerning that part of America which wee call New England, the French claime it as being first discovered by them. For about 100 yeares since, one Jacques Cartyer a French man discovered that country & called it Nova Francia but never attempted to plant the same untill the yeare of our Lord 1603 the French king graunted a patent to Monsieur de Monts, one [of] his Gentlemen in Ordinarie of his Chamber, of soe much of that country as lyeth betwene the degrees of 40 & 46 which containeth all the Country from Hudsons River, where the Dutch are, to the great river of Canada where the French are

As Boterus
noteth in his
discription of
New France.

The French
Patents
bears date
8th of Nov^r.
1603.

In March 1604 Mon^r de Mounts begann his voyadge with two shippes & having landed his men at Port Royall, the same yeare coasted southward purposing to discover the Bay of the Massachusetts (where the English are now planted) & coming nere to the Mouth of the Bay it seemed to him verie dangerous for rocks & shoulles so he went not in but sent his boate to the shoare with kettles for freshe water which an Indian stole away; one of the French running after him to recover his kettles was killed by the natives, soe the shipp returned to Port Royall

1604

In Anno 1605 Mons^r de Pont prosecuted the same discovery (purposing to plant in the said Bay) were twice driven backe & the third time the shipp splitt uppon the rocks at the entry of the Port

1605

Mons^r de Pontrincourt prosecuted the same discovery & coming nere to the Bay their rudder brake soe they could not enter the Bay, yet made to shoare nere thereunto where they mended the rudder & built an oven to bake some biskett, but the Indians came suddenly on them & slew some of them & forced the rest to fly to their shipp, & soe they returned calling the Bay by the name of Molebarre which is the common name therof among the French to this day.

1606

These 3 un-
fortunate at-
tempts are
largely sett
downe in a
booke trans-
lated out of
French &
dedicated to
Prince He-
nery by F.
Erondelle

About 16 yeares past an other french man being nere the Massachusetts upon a Fishing voyadge & to discover the Bay was cast

1616

Capt Smith
mentioneth
this in his
booke called
"The Path-
way to Plan-
tations." But
I had the
most certaine
relation
thereof from
Mr. Oldham
who went to
N. England
presently
after this
plague.

The Indians
affirme there
was never
such a sick-
ness there
before.

away, one old man escaped to shoare whom the Indians preserved alive, & after a yeare or two he having obtained some knowledge in their language, perceiving how they worshipped the Devill, he used all the meanes he could to perswade them from this Horrible Idolatrye to the Worship of the Trew God, wheruppon the Sagamore called all his people to him to know if they would follow the advise of this good old man, but all answered with one consent that they would not change their God & mocked & laughed at the French man & his God. Then said he, I feare that God in his anger will destroy you. Then said the Sagamore, Your God hath not thus manie people, neither is he able to destroy us. Whereuppon the French man said, that he did verily feare his God would destroy them & plant a better people in the land; but they continued still mocking him & his God untill the plague came which was the yeare following & continued for 3 yeares untill it had swept almost all the people out of that country for about 60 miles together upon the Sea Coast.

1623

A goodly Bay
& country
not yet plant-
ed lying be-
tweene Vir-
ginia & N.
England.

The yeare after this great Plague which was about 1623 there went a Shipp hence with about 120 men women & children to plant in De la ware Bay who being nere the Massachusetts mett with such crosse windes that in a fortnights space the Shipp could make noe way forwards but everie day in danger to perish, soe they were forced to make to the next Shoare which is about 25 miles to the South of the Massachusetts, where they landed all safe, where they presently raised some small fortification with Trees Bushes & Earth to defend themselves against the natives, but after a while perceiving none to approach they sent some to discover the Country who returned saying they found manie dead bones & places where people had been, but saw noe man, at length 2 Indians came to them & told them how the people were dead, & if they would inhabit there they might, & desired leave to live by them. Shortly after some few other Indians came alsoe to them, whose in like manner desired their protection against their enemies & to settle by them. This Plantation through manie difficulties & losses are now creeping forwards & doe beginn to thrive, being encreased to about 500 people

1629
Mr. Winthrop
& divers
other gent:
went in those
6 shippes
This was the
cause of
their send-
ing home for
Corne.

This yeare there went hence 6 shippes with 1000 people in them to the Massachusetts having sent two yeares before betweene 3 & 400 servants to provide howses & Corne against their coming, to the charge of (at least) 10,000*l.*, these Servants through Idleness & ill Government neglected both their building & plantinge of Corne,

soe that if those 6 Shippes had not arived the plantation had ben broke & dissolved. Now so soone as M^r. Winthrop was landed, perceiving what misery was like to ensewe through their Idlenes, he presently fell to worke with his owne hands, & thereby soe encouraged the rest that there was not an Idle person then to be found in the whole Plantation & wheras the Indians said they would shortly retorne as fast as they came, now they admired to see in what short time they had all housed themselves & planted Corne sufficient for their subsistence

In three things the Providence of God is worthy of observation

First — The French attempts to plant this Land & their discouragements through shipwracks & otherwise

Second — How the English sithence this Plantation began have had all their Shippes (imployed thither) well arrived & safe returned againe

Third — The destruction of the Indians above 60 miles along the Coast & almost as much into the Land, whereby way was made for the peaceable planting of our people.

(Endorsed by Sec^r. Coke)

New England Narrative

The Petition of Edward Winslow to [the Lords of the Council, while he was a prisoner in the Fleet, in London, 1634.]

Your Petitioner humbly beeseeth your Lordships further to consider, —

First That whereas he confessed that he had both spoken by way of exhortation to the people & married, yet that it was in america and at such a time as necessity constrained them that were there not only to these but to many other things far differing from a settled common weale. And if he had bene heere would not have married nor should have needed to preach, as your Lordships terme it, but having no Minister in 7 or 8 yeares at least, some of us must doe both or else for want of the one, we might have lost the life & face of Christianity; and if the other which is marriage had bene neglected all that time we might become more brutish then the heathen when as in doing it we did but follow the presedent of other reformed churches.

Second — That however we disliked many things in practice heere in respect of church ceremony yet chose rather to leave the country

then be accounted troublers of it, & therefore went into Holland. And that from thence we procured a motion to be made to his Ma^{tie} of late & famous memory for liberty of Conscience in America, under his gracious protection which his Ma^{tie} thinking very reasonable (as Sir Rob^t Naunton principall Secretary to the State in that time can testifie) we cheerfully proceeded & afterwarde procured a commission for the ordering of our body politick. And have so demeaned our selves from that time to this & we can give a good account of our loyalty towards his Ma^{tie} & have showed loving respect and reliefe to others his Subjects in their extremities

Third — That we were so tender of his Ma^{ties} honor as we would not enter into League with any the natives that would not together with ourselves acknowledge our Sovereigne for their king as appeareth by a writing to that end, whereunto their knowne markes are prefixed .

Fourth — That however the maine objection against us is that we are Brownists, Faction, Puritanes, Schismatickes &c. If there be any position we hold contrary to the Word of God, contrary to the Royall honor of a king & due allegiance of a Subject, then let his Ma^{tie} reject us & take all severe courses against us. But if we be found truly Loyall we humbly entreate to be embraced & encouraged as subjects, & that we may still enjoy the gracious liberty granted by his Royall Father & hetherto enjoyed under his Ma^{ties} happy Government, who daily pray for his Majestie — his royall heires & Successors.

Fifth — That however we follow the discipline rather of other the reformed churches then this yet the accusation is false, that we require of those who joine in Church Communion with us to censure the Church of England & her Bishops all we require being to render by reason of that faith & hope they have in Christ which together with a good testimony of an honest life wee admitt them, not meddling further with the Church of England then as we are bound to pray for the good thereof

Sixth — That the Countrey of New England is fruitfull where we live as well for English graine as Indian the aire temperate, agreeing with our Bodies, the Sea rich in Fish, the Havens commodious. The Northern parts thereof for which we must contend with the French, if this State enjoy them able to supply the navy of England with Masts if need require. The Sowthern for which we contest with the Dutch being like to prove as serviceable for Cordage by reason of

the abundance of hemp & flax that groweth naturally; All which by our Industry if his Ma^{tie} & the State be pleased to continue our liberty of conscience, to keep open the passage of such as will resort to us, & give us so free a commission for displanting french & Dutch as planting the places by us his Ma^{ties} loyall Subjects, your Honours shall soone see his Ma^{ties} Revenues of Customs by reason of this Plantation enlarged many thousands per annum & this Kingdome supplied with many necessaries it wanteth, when as England shall onely part with a part of her overcharged multitudes w^{ch} she can better misse then beare & for which God hath plentifully provided in the other.

Seventh. Consider, I beseech your Lordships, what our adversaries that accuse us are, & you shall see them to be such as *Morton* who hath been twice sent hither as a Delinquent, first for that he furnished the Natives with peeces, powder & shot & taught them the use of them. 2^{ndly} by my Lord Chief Justice Hides Warrant to answer to the murther of a person specified therein. Such like was *Sir Christopher Gardner* a Knight of the Sepulchre & a Jesuited gentleman as appeareth by a Diary of his owne under his hand which is extant in the countrey aforesaid. A third they offered the last yeare for testimony against us was one *Dixie Bull* who was out in Piracy at the same time & after went to the French &c. These & such like who are enemies to all goodness are the men that trouble & grieve the State with false accusations & cause them to be prejudiced against us the well deserving subjects of his royall Ma^{tie}.

Eighth. Whereas they have formerly accused us unjustly with correspondency with French & Dutch, Themselves may justly be suspected who cannot doe the French & Dutch better service then by going about to perswade the State here to deprive us of our Liberty of Conscience, graunted as aforesaid, as also of our freedom of Government, & set such a Governor over us as will impose the same things upon us we went thither to avoid. And if your Lordships for want of due information, I speake with all submissive reverence, should send such a governor as between whom & the countrey there is personall distaste & difference, he might be more prejudiciall to the Plantations then the swords of French and Dutch which your Petitioner humbly beseecheth your Lordships to consider

Ninth That we give a reall testimony to our Loyalty by the present possession we maintaine by force at a great charge against the Dutch and the great losses we sustaine by the French. In which

cases I came to seeke the pleasure of the State, being so tender of his Ma^{ties} & your Lopps. displeasure, as we durst attempt no further designe without your hon^{ble} approbation; yet assure myself Right Hon^{ble} the enemy durst not have attempted what is past nor threaten as at present & wherof I can informe, if it bee desired, unlesse encouraged by some English

Lastly — Consider I beseech your Honours that the same persons to whom as I concieve your Lordships promised large Commission for plantinge the countrey & displantinge French & Dutch, & which intend God permitinge to use their best endeavour thereabout if your Lordships thinke meet to refer the ordering thereof to us that offer to beare the charge on those termes, doe all now suffer by me their agent who cannot by reason of mine imprisonment provide a fitt & seasonable supply for the Plantation or be assured any Commission or encouragement but the Contrary; when as the adversaries in the meane time have too great advantage against us, who by credible report intend to assault the Plantations this ensuing spring

All which your Petitioner humbly beseecheth your Lordships to take into your hon^{ble} consideration, That a Countrey so hopefull be not ruinated, his Ma^{ties} abused & his faithfull subjects vexed & destroyed, and not onely your Petitioner but many thousands his Ma^{ties} loyall subjects will be further bound to pray for a recompence of your honourable care

Your Lordships humble servant dejected by your displeasure

EDW : WYNSLOW

[Endorsed by Sec^y Coke]

NEW ENGLAND

(Endorsed) "*A relation concerning some occurences in New England*"
(Capt. Israel Stoughton to Dr. Stoughton his brother)

Grace & peace be with you & yo^r in Christ

A relation
of 37 differ-
ences at New Eng-
land.

DEERE BROTHER There coming this frend M^r Patricson (M^r Cradocks agent here) so happilie in the spring, I thought I would not omit to write a word, & but a word bec: I hope to have many oportunies more this su^mer: tho as yet we have not a ship come nor know not certainly whither we shall, only we heare of many and hope the best. We are generally in good health: I and my familie have enjoyed our health I bless God with very little interuption from the beginning. Here are divers things where of I would write more fully to you

about, but I am willing to waite a while, & shall do it hereafter. It is like you will heare of many of them more or lesse there, but I hope God will give you & others that feare God there wisdome to judge of things wisely, and not beleieve all that is reported with all aggravations and additions as are usuall in such cases. much you will heare I suppose about the crosse in the banners & many things true; for tis true Capt. Indicot did defase it upon his owne private head, and is now left out of place of government: & his fact publicly protested agaynst by the greater part of the country, & the ministers, and some of the magistrates too: It is also true some of the magistrates with some ministers, and divers of the people do apprehend it an idoll unlawful to be continued in so honorable a plect & time to be abolished; & therefore do strongly incline that way; but tis all so true the greatest part esteeme no such daunger in it: but do desire to informe themselves well in the point, & then to be zealous according to knowledge & all judgment; not being willing to abuse their Christian liberty to licentiousness before God nor yet to a needless making of friends enemies, or to the prevoaking of those against us who are willing to lett us alone.

So that now the truth is this hath bred some evill blood in our body, & I feare will be a greater crosse & more wildy to beare then the former: it hath already caused no little alienation of affection, strife, sensuring on their parts who are so zealous for the Crosse its rejection against, & almost condemning their brethren that have not beene so opiniated & affected as themselves, & the truth is if anything would have done it, that party that so deeply condemns the simple use of the crosse in banners, had overborne & chrusht the other party tho the bigger most by farr; such was their zeale & potencie: but as yet it is not come to that point for the conclusion is, Councell shall be further taken of God, and the learned wise & godly there with you; and in the mean time there shall be a pause; and if there be any need of banners those that will may use their old as they are, without any alteration. And the party that did that fact must stand upon his owne bottom to answer for his attempt; for the greater part of ministers & country have washt their hands of it. finally for to end this matter: had not M^r Hooker & the rest of the ministers stept in, & with great strength appeared against the contrary part, it had not beene as it is, & yet I daresay the greater number of the magistrates are best pleasd that it is thus & no other wise as well as the people. I forbear to mention per-

sons & particular passages bec: I will give none offence nor occasion : but I suppose you may informe yourrselſe by M^r Patricson & M^r Craddock if you shall desire more full relations.

2. Here hath been somew^t to doo too about a negative voyce for the magistrates would that no law nor act of court should be currant & establisht (excepting choyce of magistrates) unlesse the greater number of magistrates present do also approve & consent to it, tho all country & 3 of 7 of the magistrates do like & desire it, & they plead the pattent allows them this power & some also have well likt it, others have not likt it, & now the greater number by farr I suppose 5 or 10 for one & of the ministers too are of an other mind : I know none that have read the pattent (excepting Magistrates) that esteeme it their due, but yet many more willing to have condescended to it at the first, whose minds are now changed. The conclusion of that businesse is ; it sleeps in silence, & is so like : for it is concluded by some that the magistrates hereafter will never aske it : nor the people never give it : but only thus : that whereas now our courts for making lawes consist of the body of the magistrates, & 3 comitties chose by every towne to joyne with them : that there shall be power of suspencion on either party in cases where they agree not, untill the mind of the whole body of the country may conveniently be knowne : & then the issue to be on the major parts side according to the pattent : & so both tumultousnes, & many mischeifs may be prevented. this was at first proposed & approved by ministers & country : but not by Magistrates.

3. Here hath not beene a little to do about my selfe, & tho I am unwilling to make any large relation of my owne things : yet because I know you will heare many things, I dare not omit to write something, both in faithfullnesse to you & my selfe, for I do not know how relations may be made wth may much trouble you, unlesse you have some certaynty. W^t therefore I write recon it to be true impartially as you esteeme of me impartial or otherwise : Take the relation thus When I came into the country for one whole yeare after, the government was solely in the hands of the assistants, the people chose them magistrates, & then they made lawes, disposd lands, raisd monies, punnisht offenders &c, att their discretion : neither did the people know the pattent nor w^t prorogative & liberty they had by the same : But there being some somes of money rayseed : & a speech of more, it made some inquisitive into matters & particularly after the pattent : about wth time M^r Wentthrop go^d having

the pattent did give way to the country upon their motion to see it, & all the magistrates (as in charitie I must say) were willing to admitt the people to joyne with themselves in the governance of the State, by 3 deputies for each towne. So in may, last yeare there was a generall court, wherein things were so agitated: In w^{ch} court I was by our towne chose a comitty: & by the comitties chose the cheife speaker on the countrys behalfe (there being 3 speakers). & indeed such was their good opinion of me (unworthy I confesse) that they would have chose me into an assistants place but that they said they needed me more there for the present. So that court passed & tho their was a little opposition in one particular case yet all ended in peace with manifestations of great love & the magistrates good approbation of us that had in some points opposed & crost them, at least some of Boston where M^r. Winthrop dwells.

Then there was a 2nd court about August last not for choyce of Magistrates but for makeing lawes &c, where I was allso both a comitty & speaker, (as before) In that court there were some more strait passages, & specially about the negative voyce, w^{ch} fell to be my portion much to oppose, tho not alone: In w^{ch} court time, M^r. Wentthrop, & my selfe had accidently some privat discourse about the pattent & the power of assistants & Gov^r!: so likewise had one M^r. Ludlow an assistant, & dwelling in Dorchester where I live: but the conclusion of the court was all peace & love, & no manifestations of any thing to the contrary: Nay M^r. Wentthrop having somewhat harshly & unadvisedly taken up a young man a Comitteey, came after in privat to me, & excused himselfe, & professed to me: that for that young mans part & myne, tho we had much opposed him, yet the more he honored us both in his very hart: adding that he saw our aymes & ends were good. So that court finist.

Then there was agayne a 3^o court that yeare, in March last, cheifly caled about Captayne Indeott his fact about the crosse: where I was agayne a comitteey, & a speaker but not the cheife, bec: M^r. Bellingum a great man & a lawier was then a comitty, & he was cheif speaker. Now after I was chose, great probabilitie there was that the negative voyce would be questiond, where upon many lay hard upon me to give them my reasons in writing why I refused to yeeld it so as they had desired it: we^h I utterly refused a good while, till at length 3 men of our Church came to me in the name of M^r. Warhum (our pastor) to treat it of me, saying that the ministers were to meet about it, & he much desired my reasons

before they mett, & they prest my conscience that I sinned if I refused, hereupon having but now halfe a daies time to do it in, I notwithstanding condiscended, & gave (it being one sheet of paper) 12 reasons of my refusall to give them such a negative as they challenged. Now no sooner had M^r Warum the thing, but he (without my privitie) carries it to the ministers presents it at their meeting: w^{ch} for aught I ever heard was well approved by every man of them. Sure I am 4 of them did come to me & give me large thanks & applaws for the thing, & M^r Cotten that had preacht at first for the Magistrates having a negative (tho afterward yeelded to a stopping voyce only such as before I expressed) desired the paper, tooke it home, & finding some of the reasons to be grounded upon the pattent, he not well understanding the pattent did (as he profest to me) in the simplicitie of his hart send them to Mr. Wentthrop, to be resolvd in some points of the pattent who as it seemes by the sequile tooke such distast at them & me for them that movd him to w^t followes.

The day of the court coming (for I knew not a tittle of ought untill the minut of time that I was accused) In the morning he posseseth the governor with my booke, & soo soone as ever we were mett, all the country being put out, save magistrates, comitteys, & ministers. The governor & some of the magistrates, charge me for writing a book against the Magistrates, & for denying them to be Magistrates, & so fell into such bitter tearmes against me as was much, if it had beene proved. *For M^r Wentthrop said of me, this is the man that had beene the troubler of Israel, and that I was a worme (such an one as M^r Hooker had spoke of in his sermon) and an underminer of the State: & yet saith he who but M^r Stoughton in the eir of the country.* And saith he I had from a speciall frend (I suppose it was D^r Wright) a letter of good report of me, that I was a man worthy of his acquaintance, but I had never come at him (wherein I confesse I have beene something fayling through shamefastness & a naturall defect that way, yet I have beene with him divers times, & allwaies shew^d him great respect, as allso and in truth he had done to me above my deserts. But now to the point. They chardg my booke for this & that. One thing was that I should say in it, that I by my fact had freed the State so & so; Now this I utterly denied, that had not so written & the booke was read, & so read as that it did expressly so speake: at w^{ch} I was amazed & desired to see it my selfe, & I confesse there wanted a comā, but that being added they all confessed the sence was quite otherwise, & so were silenced in that

point, & it was so playne without a comma that no man excepted at it till M^r. Wentthrop, nor did any make such sence of it but he, & such as he had possesst. But then the mayne accusation w^{ch} they stuck too was that I denyed the Assistants to be Magistrates, & made them but Ministers of Justice &c. w^{ch} charge I denied, and affirmed I never did deny them to be Magistrates, tho I also did say they were Ministers of justice, & might without dishono^r be caled Ministers as well as Magistrates both by the rule of the word Rom. 13. 2 & the custome of London whose printed oath for all freemen stilles the Aldermen by that terme & title, thus, the Maior & all other Ministers of the Citty, and so comprehends the Aldermen 3^d & by the rule of the pattent, & with respect to the pattent, & to general Courts assembled: for I had written thus in it (the reasons against the negative) the pattent makes their power Ministeriall according to the greater voat of the generall courts, & not Magisteriall according to their owne discrecion. These were my very expressions, whereby I intended & ment that their power call it ministeriall, or magisteriall, or magistraticall (w^{ch} you will) was not so great that they could do ought, or hinder ought simply according to their owne wills, but they must eir & respect generall courts, w^{ch} by pattent consist of the whole company of freemen. And this is in very deed the magistrates owne judgment, & the judgment of every man in the land, that hath exprest himselfe, & yet for this my expression they would have me to affirme, they were no Magistrates: & these my words should be a prooffe of it. Other words they took great offence at, but instances in no-other but these 2. I confesse there were some others that were very playne English such as to some is offensive: but I know little reason it should be to any: sure I am it was no other then such as I would allow & most desire from my meanest servant in any cause wherein he hath to deale with me.

But much a doe their was, & because it was adjudged by some it would much please & pacifie them if I would desire that it might be burnt, at length for peace sake, & to show how little I esteeme ought of myne, I said let the booke be burnt if it please them, to give them content I regarded it not. So that business ended, yet so that they caused it to be recorded, that such a thing was burnt as weake & offensive.

But still they were not pacified towards me, but would have it be that I denied them to be magistrates, & for the further prooffe of that point, M^r. Wentthrop & M^r. Ludlow of whome I spake before, did

affirme to the court upon their credit (without oath) that I had in the time of the last court (before when I had some conference with them as I told you before about their power & autoritie) sayd to them, that the Assistants were not Magistrates, So that tho I had constantly denied it, & had allso unknowne to me then, a wittness that can upon oath testifie that my words to M^r Wentthrop did not so import: nor were they any affirmation at all, but meerely thus. In answer to something he had said w^{ch} was, that Assistants had power simply by their places over our persons goods & lives, without any law of ours. I replied, what is it so? I had thought your power had beene so & not so.

The same wittness allso being an eare wittness of my words to M^r Ludlo, & a very wise & godly young man (the same that I spake of before that M^r Wentrop snibd but after did somewhat recant) he being a brother of our church, suspecting that M^r Ludlo had forsworne himselfe (for he was not now a comitty to heare) did goe in privat (before our 2 ministers, my selfe and an other) to this M^r Ludlo & begin to deale with him for what he had done, untill that he purgd himselfe thus, by saying he did not give in his wittnesse upon oath.

And so the conclusion of the matter was, that I by way of punishment of that whereof they charged me, must be dissolvd for bearing any office within this jurisdiction for 3 years w^{ch} was by Magistrates & Comittees, that is the Major part did then conclude that order, w^{ch} was the mayne businesse of that court in March last. Captayn Indicots busines being referd to the great generall court of May, but the truth is the greatest part of the comitteys did yeeld thereto meerly to give the Magistrates content, I purposing to reverse it agayne with the first opportunitie. M^r Bellenham made that same apologie unto me in privat and many of the rest that did yeeld (for all did not) & that with teares, & one made *publique acknowledgment in open court afterward that he had sinned & was sorry.* I should be too tedious to you to relate the severall privat passages of M^r Cottons, of M^r Hookers M^r Wards & other ministers about this businesse, who have beene marvelously affected to see their dealings, especially M^r Wentthrops, who the truth is had too much forgot & over shott himselfe, as I heare he hath confessed so much publicly this last Court, before all the country in generall, & manifested the particulars to those that were then comitteyes privatly as I have beene told.

Now followed the great generall Court in May w^{ch} continued 2 daies for the whole body, & is not yet ended (tho proroged) for Ma-

gistrates & Cõmitteyes. This generall Court one M^r Haynes was chosen governor a very godly man of M^r Hookers charge. Captayne Indicot is left out partly for his business in the crosse, & partly for other matters. So also our M^r Ludlow is now no Magistrate: tho within 6 dayes before it was most probable & allmost past question that he would be chosen governor (for we desire to change yeare by yeare the governorship: but the assisstants more rarely, yet sometimes least it be esteemed hereditary. Now he is neither governor nor assistant, so did divine providence dispose it. And I question whither he will ever be Magistrate more, for many have taken great offence at him, the causes I forbear to relate: but they are both wise & godly men that are offended: And not many much sorry.

And to tell you the truth (for it is like you may heare of it from others) M^r Wentthrop had very many hands agaynst him for being either governor (w^{ch} some attempted) or assistant. The cause, it is like they know best, that put in blanks I suppose they were not his enemies, nor none of the most-simple. He hath lost much of that aplaws that he hath had (for indeed he was highly magnified) & I heard some say they putt in blanks, not simply because: they would not have him a magistrate, but because they would admonish him thereby to looke a little more circumspectly to himselfe. He is indeed a man of man: but he is but a man: & some say they have idolized him, & do now confesse their error. My opinion is that God will do him good by some: as also he hath done good to some by him. And that he is a godly man, & a worthy magistrate notwithstanding some few passages, at w^{ch} some have stumbled.

It may be it will be reported there (as some have not spared to speak it here) that those that opposed him, *did it because he was so zealous against the crosse, for he esteems it a gross idoll*: but tho I be now no statsman, nor do I meddle with those affayres, yet thus much I can upon my credit & by intimations I have received informe you, that that was not att all the cause, for others were not so dealt by that were as zealous as he: (Neither was his doings about me the only cause: tho possibly that might a little further it tho I cannot say so expressly:) but there was some other passages that have beene done by him, w^{ch} being observed have made some willing to admonish him in that manner whiles they do not well know how to do it, in a more convenient manner. But such is my opinion of the man, that some might more conveniently have delt with him in a more playne fashion, if they have any greivance. I say some might, I do not say all.

This court Capt: Indicots busines was transacted by the whole country, & after some strong & hard labor brought to the issue forementioned, wherein the ministers did their parts as good midwives, or ells it would not have been altogether so as it is.

This court allso it was intended my business should have beene transacted by the whole body, with a generall vote before the day, that they would doe about it great matters, I that they would, said Comittees, & most in generall: but Capt: Indicots business proved so tiresome & teadious, that their spirits & strength was spent & tho there was petition made by the towne (for for my part I sitt downe in cilenec and desire with my whole soule that no more stir may be about it, I looke up to him that knoweth all things, to whome myselfe & all men must one day give account & receive wages according as our workes have beene) that I should have the interpretation of my owne words: w^{ch} was in part granted & I was caled: but because I did not give them so full satisfaction as some desired the thing rests yet as it did: only it is said by some it shall be agitated by the magistrates and comitteys at their next sitting, for the words where of they charged me I can make no interpretation of them: because I can-not say I ever uttered such words: but for my reall opinion about the Assistants reall power I spake in publike court as much & more then ever I spake before, & it was all accepted & taken well without contradiction.

But as I have beene informed since, something they would have from me before they blotted out that order (w^{ch} was the thing petitioned for by the towne to have it blotted out and not to stand to posteritie to defame me as if I had held some annabaptisticall opinion about Magistrates, when they all knew I was innocent, & had not merited such infamie) that so the honor of the court might be maynetayned. This was all that any of them stood upon that ever I heard off.

This large relation when I was once entered I could not forbear for reasons aforesaid, now I leave you to judge when you have heard all as you shall see cause.

But now I beseech you these 2 things. 1. that these things may be privat: only where you shall see good cause: as to my Mother ffor her satisfaction to whom I cannot conveniently make a long relation: allso to others of wise frends If you should heare I were by any traduced and abused, as some or at least one (For I have not heard of more) hath much endeavored to take my good name away here, in a

kind of zeale to M^r Went : but the Lord forgive him and if D^r Wright should heare ought & first enquire of you, I know not w^h information & Comunion there is betweene him & M^r Wentrop, but I do not passe, if need so be tho he see every tittle that I have writt, but not unless there be cause.

2^d I beseech you let none of these things trouble your, nor any other godly mans spiritts, concerning this place, or the persons, & doings here, as I know persons upon reports are sometimes strangly troubled, & incensed this way & that, to judging, to withdrawing affection to change resolutions & purposes : to chang their minds & take upp new thoughts possibly never to come here &c : for it is true we have weaknesses & wants, & sinns comitted by us, & difference arise : who questions this ? & how can it be otherwise.

(Endorsed)

A relation concerning some occurrences in New England.

(Also endorsed, but scratched thro')

A relation about Boston buysnesses in Lincolnshire

[The spelling, punctuation, and Italics are precisely as copied from the original.]

The last of these papers the President had procured, not merely because it related to an interesting period in our history, but also because it was referred to, in the Calendar of Colonial State Papers, as containing some strictures on the course of Governor Winthrop, which he was curious to examine. The Governor had alluded to the circumstances, in his History (vol. i. p. 155), in the following brief terms : —

"At this Court, one of the deputies was questioned for denying the magistracy among us, affirming that the power of the Governor was but ministerial, &c. He had also much opposed the magistrates, and slighted them, and used many weak arguments against the negative voice, as himself acknowledged upon record. He was adjudged by all the Court to be disabled for three years from bearing any public office."

Mr. Savage, in a note upon this passage, says as follows:—

“An explanation worth transcribing is found in Col. Rec. i. 137: ‘Whereas Mr. Israel Stoughton hath written a certain book which hath occasioned much trouble and offence to the Court, the said Stoughton did desire of the Court that the said book might forthwith be burnt, as being weak and offensive.’ Such almost unexampled modesty, in an author, did not, however, propitiate the severe justice of the Assembly; for on the same page appears an order, ‘that Mr. Israel Stoughton shall be disabled from bearing any public office in the Commonwealth, within this jurisdiction, for the space of three years, for affirming the assistants were not magistrates.’ But his disability was removed or overlooked before the expiration of the sentence; for, in December of the year 1636, he was again a deputy, and, being orthodox on the subject of the Antinomian controversy, was chosen an assistant in the following spring. He commanded the forces in the Pequod expedition in the same year. . . . He was father of the celebrated William Stoughton, first Lieutenant-Governor named by the Crown under the charter of William and Mary, and Chief-Justice in the trial of the witches.”

Dr. Palfrey also refers to the case, in his admirable “History of New England,” vol. i. pp. 427–8.

Mr. SAVAGE offered a letter from Nathaniel White, A.B. (H.C. 1646), addressed to the “Rev., and much hono^rd in the Lord, Michael Wigglesworth, minister of the word, and sometimes pastor of a church of Christ at Maldon in New England,” dated “Overplus in Somer Islands, the 12th of the 7th mo., 1664.” The same gentleman also presented a bill of disbursement by John Faneuil for Mr. Henry Phillips of Boston, N.E.

FEBRUARY MEETING.

A stated monthly meeting was held this day, Thursday, Feb. 14, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

The Librarian announced donations from the American Antiquarian Society; the American Peace Society; the Essex Institute; the President and Fellows of Harvard College; the Trustees of the Public Library of the City of Boston; Jonathan J. Caldwell, Esq.; Thaddeus Davids & Co.; Rev. Edward C. Guild; L. A. H. Latour, Esq.; Hon. Theron Metcalf; Octavius Pickering, Esq.; Samuel Porter, Esq.; Lucius M. Sargent, jun., M.D.; Rev. Edwin M. Stone; and from Messrs. Bell, Green, Robbins (C.), Washburn, Webb, and Winthrop, of the Society.

The President remarked as follows:—

Before proceeding to the ordinary routine of business, I may be allowed to dwell for a moment, gentlemen, upon two names which have been stricken from our rolls (where they had stood for nearly half a century) since our last monthly meeting.

The public journals of New York have announced to us, within a week past, the death of Dr. John Wakefield Francis of that city, and have contained many interesting notices of his life and character. He stood third in order on the list of our American Honorary Members, as last made up and published; having been elected on the 27th of January, 1814. He was one of the founders of the Historical Society of New York, and had taken the most active part in promoting its welfare. His discourse on the fifty-third anniversary of that Society, delivered at the dedication of their new and beauti-

ful Hall, in 1857, can hardly have been forgotten by any of us. It assumed the form, in publication, of a volume of nearly two hundred and fifty pages; and is replete with personal reminiscences and local details of "New York during the last half-century."

Of the professional eminence or literary accomplishments of Dr. Francis it is not for me now to speak. But no one, who has enjoyed the pleasure of his acquaintance, can fail to have been impressed with his genial and generous nature, his earnest appreciation of every thing distinguished and exalted, his ardent love of country, and his eager co-operation with every effort to illustrate and commemorate the great men and the great events of American history. We may well sympathize with our brethren of the New-York Society on the loss of one so identified with its rise and progress.

But the Unseen Hand has touched our own Society more nearly. By a striking coincidence, the third name in order has been stricken also from our Resident roll. The attention of the members was called to the death of the Rev. Dr. Charles Lowell by the notice inviting them to attend his funeral on the 24th ultimo; and it was a subject of deep personal regret that I was deprived of the satisfaction of paying the last tribute to one for whom I entertained so affectionate a regard and respect.

Dr. Lowell's services to our Society were of long continuance, and of no small value. Elected as an Associate on the 29th of August, 1815, he was our Recording Secretary from 1818 to 1833, and our Corresponding Secretary from 1833 to 1849.

A faithful and spirited portrait of him, with the pen of the Society in his hand, is among the treasures of our upper Hall.

As the infirmities of age grew upon him, a conscientious scruple about retaining a place in our limited ranks, after he

had ceased to be able to attend our meetings, induced him to resign his membership; but his attachment to the Society, and his interest in its proceedings, continued so strong and manifest, that, after a brief interval, his name was restored to its old place on our roll, with the best reason for believing that it would afford him a peculiar pleasure to see it there.

We were all delighted thus to minister to the satisfaction of one so respected and loved, and whose name will ever be associated with so much of private virtue and professional devotion.

With the assent of the Standing Committee, I submit the following Resolution:—

Resolved, That the Massachusetts Historical Society desire to record their deep sense of the exalted character and virtues of their late associate, the Rev. Charles Lowell, D.D., and their grateful remembrance of his services as their Recording and Corresponding Secretary for more than thirty years; and that the Rev. William Jenks, D.D., be appointed to prepare a memoir of him for our Collections.

The Resolution was unanimously adopted.

Rev. Andrew P. Peabody, D.D., and Hon. Theron Metcalf, were elected Resident Members; Hon. James L. Petigru, of Charleston, S.C., and William Cullen Bryant, Esq., Honorary Members; and Hon. Hugh Blair Grigsby, of Norfolk, Va., a Corresponding Member, of the Society.

MR. DEANE read the following letter from Dr. Luther Parks of this city, presenting to the Society a helmet claimed to have been the property of Sir Laurence Washington, which Dr. Parks had obtained in England through the kindness of Mrs. William Tillotson, of London. Whereupon it was *voted*, That the Society gratefully accept this ancient and interesting relic, and

present their thanks to Mrs. Tillotson, the liberal donor, and to Dr. Luther Parks for his kind intervention in procuring the helmet for the Society's cabinet.

BOSTON, Jan. 23, 1861.

CHARLES DEANE, Esq.

DEAR SIR, — Knowing your interest in historical and antiquarian matters, I invite you to bring before the Historical Society, of which I believe you are a member, a subject appertaining to the objects of that institution.

I bring with me from London a helmet, which claims to have been the property of Sir Laurence Washington, who belonged to a branch of the same ancestral tree from which descended the "Father of his Country."

I became cognizant of it in the following manner : —

In the course of a tour through Switzerland last summer, I met, at Visp, a highly intelligent and courteous English gentleman, who took occasion to inform me, that in the possession of a lady of London, an acquaintance of his, was a helmet once belonging to the family of Washington. The gentleman gave me the address of the fortunate possessor of the relic, and urged me to call upon her with reference to it.

This advice I acted upon, while in London, in December last ; and found the helmet in question in possession of Mrs. William Tillotson, 13, Harewood Square. This lady gave me the history of the relic, stating that it was presented to an aunt of hers, some forty years since, by the Rev. J. Newbery, formerly curate of Garsdon, in Wiltshire, but now living in London ; to whom she kindly referred me for further particulars.

Mrs. Tillotson, in a spirit of intelligent liberality, of which I, for one, feel deeply sensible, voluntarily expressed her willingness to present the helmet to any suitable association in America. I suggested the Massachusetts Historical Society ; and to that institution Mrs. Tillotson offers the gift, *on condition that it be considered worthy a place, as a memorial of the family of George Washington*, in the Society's collection of antiquities : otherwise it is to remain in my hands.

You will recollect that Sir Laurence Washington, second son of Laurence Washington, Esq. (the latter of whom was an ancestor, in a direct line, of the American hero), removed to Garsdon, in Wilt-

shire; and that there was an intermarriage between the Washingtons of Wiltshire and the family of the Earls Ferrers of that place.

Now, from the Rev. Mr. Newbery I learned, that in the church of Garsdon, in Wiltshire, there is but one baronial tomb, which, with the adjacent manor, the reverend gentleman was told, belonged formerly to the Earls Ferrers, and on which he distinctly remembers reading the following inscription; viz., "The Lady Pargiter. She was wife of Sir Laurence Washington, who both lie buried here."

The helmet in question was given to the Rev. Mr. Newbery, by the farmer of the Ferrers Manor, at the time of the former's residence in Garsdon, and was taken from a closet in the old manor-house. The circumstances under which it was found were such as to convince my informant, that the helmet and the tomb both originally belonged to the same owner. But though he referred to some of these circumstances in conversation with me, yet, as so long a period — that is, forty years — has elapsed since their occurrence, he is so far distrustful of his memory as to be unwilling to allow his statement of them to be repeated. But he has never, to this day, entertained any doubt as to the authenticity of the relic, which, as has already been said, was presented by him to the family of Mrs. Tillotson, forty years since, as the helmet of Sir Laurence Washington, and has been always preserved by them under that name, till so kindly transferred to my hands by its late possessor.

I deem it interesting to add, in this connection, that Mr. Tillotson, the late husband of the generous donor of the piece of armor in question, was a collateral descendant of the celebrated Archbishop Tillotson.

I remain, sir, very respectfully, your obedient servant,

LUTHER PARKS, JUN.

After some conversation, on motion of Mr. SAVAGE, Messrs. Sparks, Aspinwall, and Deane were appointed a Committee to investigate the authenticity of the helmet.

Mr. ROBBINS (C.) read a letter from Fitch Edward Oliver, M.D., offering for the Society's acceptance photographic copies of the portraits of the Hon. Andrew Oliver, sometime Secretary, and subsequently Lieute-

nant-Governor, of the Province of Massachusetts Bay; and of the Hon. Peter Oliver, Chief-Justice of the same Province.

Voted, That the thanks of the Society be presented to Dr. Oliver for these beautifully executed portraits of his ancestors.

Mr. ROBBINS (C.) read an original letter from General Lafayette, addressed to Colonel Joseph Vose, which had been kindly furnished for communication to the Society by Mrs. E. E. V. Field, grand-daughter of Colonel Vose.

General Lafayette to Colonel Joseph Vose.

PHILADELPHIA, Feb. 28, 1781.

DEAR SIR,— On your arrival at Trenton, you will find three days' provisions ready for the troops, with every thing necessary for their reception. You will also have, in the course of the evening, a quantity of vessels, which, I am told, will be sufficient for the whole detachment, and on board of which some provisions will be embarked. In order to add to the certainty of your total embarkation, some flat-bottomed boats will be sent up to Trenton; but I hope that the vessels will be fully sufficient.

It will, I think, be better to have the baggage, and every thing but the men, embarked this evening, provided you don't arrive too late at Trenton.

How far it will be possible to accommodate the men for the night, on board these vessels, I cannot ascertain. I wish you will examine this matter with Colonel (?) Smith and the commanding officers of battalions. In case it was possible, it should be the more proper to go on, without halting, to Christian Bridge, as we generally have a northerly breeze in the night; but, should it appear to be unfavorable for the men,— as this must always be our first attention,— I request you will go to-morrow as far as Derby or Chester. But, in any case, you must not stop at Philadelphia, as it would have many inconveniences.

Your movements depending on the state of the vessels, that of the wind, and other circumstances, which I cannot foretell, I only

wish you will do for the best, making as great despatch as possible, consistent with the health of the men; and that, on your arrival at Trenton, you will write to me very particularly what has been settled.

As there will not be a sufficiency of vessels for horses, I have requested Colonel Pickering to send up his orders to the quartermaster relating to horses that have been impressed. As to the horses belonging to the officers, Colonel Pickering will also write to you what he thinks the most advisable for them to do; but horses cannot be embarked at the Head of Elk, and impressed ones will be prepared at the point of debarkation.

Independent of the express that will return this evening, I wish that, so soon as the troops embark to-morrow morning, Colonel (?) Smith will come by land to Philadelphia, and tell me what are your prospects at the time you set out.

The quartermaster ought also to push with great rapidity for the place where the troops will be intended to land.

With the most sincere attachment, I have the honor to be, dear sir, your most obedient, humble servant,

LAFAYETTE.

I request you will continue to hold up this idea of the shortness of the expedition, as the preparations of the officers must be different from what they should have been had we marched for the Southern Army. Arnold's force is just on the other side of the bay, and was lately blockaded by a French ship of the line.

The President, on behalf of the Standing Committee, presented the following Report on the publication of the Society's Collections:—

The Standing Committee, having considered the subject referred to them at the last stated meeting, beg leave to report:—

In common with others, your Committee have deeply regretted the delay which has recently been experienced in regard to the publication of our regular volumes of Collections. It is not to be wondered at, however, that members

of the Society should not always be able to spare time from their literary, commercial, or professional pursuits, for the labors of a Publishing Committee. It is to be hoped that the Society may, at some future day, have a sufficient fund to pay for the whole time of a suitable person as Librarian, or Assistant Librarian, who may act as the editor and publisher of our volumes, under the supervision of a Committee, and who may thus relieve the Publishing Committee from all merely clerical duties. In the mean time, your Committee have been led to think that something might be accomplished in a manner which can hardly fail to be satisfactory to the Society, and which will involve no additional expense.

There is reason to believe that Mr. Everett has come into possession of an interesting and valuable collection of autograph-letters of Washington, never yet published, and which he would be willing to prepare, and publish as one of our Appleton volumes.

There is also reason to believe that Mr. Winthrop has recently obtained the control of a large and valuable collection of original letters and papers connected with our earliest Colonial history, and which would willingly be made the material of another Appleton volume.

The Appleton Fund for publication, with its accumulated income, would authorize, at this moment, the simultaneous preparation of several volumes: and your Committee propose, therefore, that Mr. Everett, with Mr. George Livermore and Mr. E. E. Hale, be appointed a Publishing Committee, with a view to the first of these collections of papers; and that Mr. Winthrop, with Mr. Deane and Dr. Robbins, be appointed a Committee with reference to the Winthrop Papers.

There will then be four Publishing Committees standing undischarged on our records, from at least three of which, valuable fruit may, in process of time, be anticipated.

The first Committee was appointed in April, 1858; and consists of Judge Warren, Mr. Bowditch, Gov. Clifford, and Hon.

George T. Davis. The absence of Judge Warren for many months in Europe, and the illness of Mr. Bowditch, led not unnaturally to a discontinuance of their labors; but it may still be hoped that this Committee may, at some future day, find the materials of a volume.

The second Committee, appointed in March, 1860, consists of Mr. Solomon Lincoln, Mr. Quint, Mr. Latham, and Mr. Palmer; and their special province is the publication of the Prince Manuscripts, before their delivery to the Old-South Library. There is the best reason for hoping and believing that this Committee will have a new volume ready for distribution in the course of the present year.

It is not improbable that the Washington volume may also be published before the Annual Meeting of 1862.

The volume of Winthrop Papers may require still another year.

But the Committee feel great confidence, that, under this arrangement, at least three new and interesting volumes of Collections will be forthcoming during the next three years.

Your Committee are of opinion, that the precedent of having several Publishing Committees at work simultaneously will not be injurious to the Society. The income of the Appleton Fund would authorize the printing of a volume every year. But the selection and preparation of materials often require a longer time; and one Publishing Committee may well employ twice or thrice as much time as another in the work committed to them. By having several committees subsisting at the same time, such volumes as can be published with little more than the pains of correcting proof-sheets will not be delayed by those which may require a more careful and laborious research. A greater number of members of the Society will be employed, too, on its appropriate labors; and a wholesome competition may produce greater diligence and despatch in the work committed to them.

Without dwelling further upon these general views, however, your Committee conclude by recommending that two new Publishing Committees be appointed, with a view to the special subjects referred to in our Report. They find that this can be done without any amendment of the By-laws.

The report was accepted, and the committees therein suggested and nominated were appointed: viz., for the publication of the Washington Letters, Messrs. Everett, Livermore, and Hale (E. E.); for the publication of the Winthrop Letters and Papers, Messrs. Winthrop, Deane, and Robbins (C.).

Mr. PAIGE communicated the following paper relating to the ancient stewards of Harvard College; which was referred to the Publishing Committee:—

Stewards of Harvard College.

The first known steward of Harvard College was Matthew Day. He was son of Stephen Day, the first printer in New England; born probably at Cambridge, Eng., about 1619; and appears to have wrought at printing with his father. The date of his appointment to the stewardship, I have not ascertained. He died, apparently in office, 10th May, 1649, at the age, probably, of about thirty years. On the day of his death, he executed a nuncupative will, which I copied from the record several years ago. As it is short, and in some respects interesting, I shall be pardoned if I repeat it in full.

The Last Will and Testament of Mathew Day, May 10, 1649.

1. I doe give with all my heart all that part I have in the Garden unto the fellowes of Harvard Colledge forever.
2. I doe give to Mrs. Shepard my diaper table cloath and napkins which were not yet made up.
3. I doe give my 3 silver spoones, the one to David Dunster, the other to Doraty Dunster, and the 3d that hath my owne name on it, which I brought out of England, to my old acquaintaince little Samuell Shepard.

4. I doe give to my mother all the estate I have in both the houses together with all the furniture beds and all moveables (my debts being first paid) to her for her life, and when she dies to the little child Moyses.

5. I doe give to S^r Brooke (my ould and deare friend) all the bookes I have which he thinkes may be useful to him, except those which may serve for the training up of the childe to schoole.

6. I doe give unto my mother that eight pound or thereabout which is due to me for printing, to pay for the house which is due at Michalemas.

7. I would have Daniell and Mary Lemon and my mothers girle have some thing given them as Mr. Shepard and my mother shall see meet.

8. I doe give my Ivory Inkhorne in my box with a whistle in it unto Jeremy Shepard.

9. I give 20^s in mony which once I had and layd out for the Colledge and is to be paid by it in mony againe unto Mr. Thomas Shepard.

10. I give unto John Glover my lookeing glasse.

11. I give to Elder ffrost foure pound.

Those before whome he spake these things were Mr. Tho. Shepard, Mrs. Day.

Deposed the 30th 8th mo. 1649.

INCREASE NOWELL.

The garden mentioned in this will contained about one acre, and was long known as the "Fellows' Orchard." Gore Hall now stands on the northerly end of this lot: the southerly end is bounded by Harvard Street. Three-fourth parts of the lot appear to have been bequeathed by Mr. Day: the other fourth part was conveyed by "Mr. John Bulkley, first master of arts in Harvard College," by deed of gift, dated 20th December, 1645. David and Dorothy Dunster were children of President Dunster. Samuel and Jeremy Shepard were sons of Rev. Thomas Shepard, who were graduates respectively in 1653 and 1669, and became clergymen of some eminence. "The little child Moyses," I have no doubt, was Moses Bordman, then about nine years old, whose father, William Bordman, was the son of Stephen Day's wife,

by a former husband. John Glover was probably the son of President Dunster's wife, by her former husband, Rev. Jose Glover; and "Sir Brooke" was Rev. John Brook, H.C. 1646.

The successor of Mr. Day in the stewardship was Deacon Thomas Chesholme, who held the office until the close of the year 1659 or the beginning of 1660. He was from Newcastle upon Tyne, and was admitted freeman, in company with Shepard, 3d March, 1635-6. He was a tailor; was many years deacon of the church; and, in 1636, was licensed by the General Court "to keep a house of entertainment," — being apparently the first person in Cambridge to whom that responsible service was intrusted; and, in 1640, he was further licensed "to draw wine at Cambridge." The records of his stewardship, after a long absence, have recently been discovered, and returned to the College; some portions of which I had the honor to read at a former meeting of this Society. He died, *s.p.*, 18th August, 1671; and bequeathed a portion of his estate to Benoni Eaton, son of Nathaniel Eaton, the repudiated head of the College. It would seem that he adopted the son, when the father fled from New England.

Deacon Chesholme was succeeded by Ensign John Sherman, of Watertown. Dr. Bond represents him to have been born at Dedham, Eng., 1613; and to have arrived here in 1634. He was selectman, town-clerk, and representative, for several years; and died 25th January, 1691-2, aged seventy-six years. He probably resigned the office of steward in 1663; but the exact date I have not ascertained.

The next steward was William Bordman, half-brother to Matthew Day, and the progenitor of a long line of stewards. The office became a sort of heirloom in his family for the period of nearly seventy years after the death of his immediate successor. There is reason to believe that he was appointed to office in December, 1663: it is certain that he resigned in December, 1667, and was thereafter employed as college-cook. He was a tailor, not prominent in municipal

affairs; and died 25th March, 1685, aged seventy-one years. In a notice of his death, Judge Sewall styles him "Major Bordman;" but, as there is no evidence that he ever held any military office, it is probable that he had this appellation from his official position as a major-domo.

Upon Mr. Bordman's resignation, Thomas Danforth, afterwards deputy-governor, was induced to resign the office of treasurer, and to accept that of steward, which he seems to have held until 1682. Of his character, I need not speak in this presence: it is written conspicuously in the history of the Colony for the forty years preceding the year 1700.

In 1682, according to the Triennial Catalogue, Andrew Bordman, son of William Bordman, became steward. Like his father, he was a tailor; and after his father's death, in 1685, was both steward and cook until he died, of fever, 15th July, 1687, aged forty-one years.

He was succeeded by his younger brother, Aaron Bordman, a locksmith, who had probably learned his handicraft of Stephen Day, the husband of his grandmother; for, although Mr. Day came to New England for the purpose of managing the printing-press, his proper trade was that of locksmith. Mr. Bordman had been College-smith from 1675; and he remained in office as steward until 15th January, 1702-3, when he died, at the age of fifty-three years.

The next steward was Andrew Bordman, son of Andrew, and grandson of William, both of whom had previously held the same office. He was appointed 23d March, 1702-3; and died in office, 30th May, 1747, aged nearly seventy-six years. His was the longest stewardship on record; being more than forty-four years in duration. At a meeting soon after his death, the corporation placed on record a fitting testimony to his worth, styling him a "faithful steward." Mr. Bordman had remarkable qualifications for the transaction of business. In addition to the faithful performance of his duties as steward, he managed his private affairs as a saddler with much energy and skill, and served the town of Cambridge as select-

man eighteen years, between 1706 and 1732; as town-clerk thirty-one years, from 1700 to 1731; as town-treasurer forty-six years, from 1701 until his death in 1747; and as representative in the General Court, in 1719 and 1720.

He was succeeded in all his offices by his only son, Andrew Bordman, H.C. 1719, — the first graduate who ever held the office of steward; and, by a somewhat singular coincidence, the first steward with whom the corporation or overseers had the slightest difficulty. He neglected or refused to obey their directions in regard to placing all the students in commons; and was discharged from office, 28th March, 1750. This did not wholly heal the trouble. His accounts remained unsettled for more than fourteen years. After tedious negotiations, however, an amicable settlement was effected, 29th August, 1764. Notwithstanding this unfortunate controversy with the corporation, Mr. Bordman unquestionably held a high rank in the public estimation. He married Sarah Phips, daughter of Lieutenant-Governor Spencer Phips, 25th February, 1731-2; and died 19th May, 1760, aged nearly sixty-eight years. He was elected selectman of Cambridge thirty years, from 1740; town-clerk thirty-nine years, from 1731; town-treasurer twenty-three years, from 1747; and representative twenty-two years, between 1742 and 1768. He was also Register of Probate twenty-four years, from 1745; and Judge of the Court of Common Pleas seventeen years, from 1752. All these offices, except that of representative, he retained to the end of his life.

One very singular fact may be properly mentioned in this connection. As the last-named Andrew Bordman succeeded his father, Andrew Bordman, in the office of town-clerk, so also he was succeeded in the same office by his only son, Andrew Bordman, who held it for the period of ten years. Thus it happened, that for eighty successive years, from 1700 to 1780, the incumbents of that office, father, son, and grandson, bore the name of Andrew Bordman.

MARCH MEETING.

A stated monthly meeting of the Society was held this day, Thursday, 14th March, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the American Philosophical Society; L'Institut Historique, Paris; the Ulster Historical Society; Z. Allen, Esq.; Rev. Cyrus A. Bartol; Rev. Caleb D. Bradlee; C. Allen Browne and A. G. Browne, jun., Esqs.; Count Adolphe de Circourt; Lieutenant-Colonel J. D. Graham, U.S.A.; Hon. Hugh B. Grigsby; Rev. Edward C. Guild; Rev. Henry Herriek; Miss Mary L. Hillhouse; J. C. G. Kennedy, Esq.; Rev. Abner Morse; J. W. Osborn, Esq.; W. Noël Sainsbury, Esq.; Benjamin S. Shaw, M.D.; Thomas H. Wynne, Esq.; and from Messrs. Bartlet, Bowditch, Forbes, Green, Hale (E. E.), Lamson, Parsons, Robbins (C.), Sibley, Webb, Whitney, and Winthrop, of the Society.

The Corresponding Secretary read letters of acceptance from Rev. A. P. Peabody, D.D.; Hon. Hugh B. Grigsby of Norfolk, Va.; Hon. J. L. Petigru of Charleston, S.C.; and Wm. Cullen Bryant, Esq., of New York.

A small polished block of the "Charter Oak" was presented to the Society's cabinet, on behalf of Miss A. S. Alden of Hartford, Conn.

A communication was received from Oren H. Peck, Esq., offering to the Society a few relics dug up by him on Captain's Hill, — the site of the dwelling-house of Captain Miles Standish.

Voted, That the President be requested to acknowledge the gift of these memorials of the past.

The President, in view of the annual meeting, appointed the following committees: viz., on examining the Treasurer's accounts, Messrs. J. C. Gray, Warren, and Clifford; on nomination of officers, Messrs. Deane, Saltonstall, and Whitney.

Mr. PAIGE communicated the following paper:—

Harvard Dinners.

In his private account-book, and on loose slips of paper, a former steward of Harvard College entered memoranda of certain dinners, specifying the articles provided, and their several prices. As illustrations of ancient customs, perhaps a selection from these memoranda may not be entirely without interest. The earliest in date describes "the commencement-dinner in the year 1703;" for which provision was made as follows:—

	£	s.	d.		£	s.	d.
4 barrels beer	2	8	0	Hens and chickens . . .	2	7	0
1 barrel cider	0	16	6	Beef	5	9	6
18 gallons wine	2	18	7	Lamb	2	6	8
1 bushel salt, &c. . . .	0	4	0	Bacon	0	2	6
Carrots and turnips . .	0	4	6	8 geese, 4 tongues . . .	1	2	8
Cherries	0	7	2	Butter	1	17	6
Spices	0	10	6	Paper and skewers . . .	0	6	6
Sugar	0	12	0	To Mr. Manning	0	4	0
Rosewater	0	3	6	Hire of dishes	0	9	0
Milk	0	2	0	Candles	0	2	3
Oranges and sauce . . .	0	7	0	Washing	0	10	0
Apples	0	2	6				
Flour and wheat	3	1	0	First cost	£26	14	10

The meats at this dinner were substantial, and of sufficient variety; but of vegetables, only carrots and turnips are mentioned, and apparently a very small quantity of each. The

"candles" indicate that the convivialities extended into the evening; but this need occasion no surprise, when the generous allowance of wine, beer, and cider, is observed.

The next in date is a more particular account of "the dinner at the installing the President, 14th January, 1707:"—

	£	s.	d.		£	s.	d.
24 pounds flour	0	8	0	White sugar	0	0	6
14 pounds butter, and 10½	0	13	9	Beer	0	5	8
12 fowls	0	7	10	10 gallons green wine . .	1	7	6
29½ pounds beef, 36 pounds				4 gallons Madeira . . .	0	18	0
pork, 75 pounds roast				2 gallons Port wine . .	0	14	0
beef	2	0	10	6 glasses	0	5	6
4 turkeys, 36½d.	0	12	2	2 pounds sugar	0	1	10
6 pounds mutton	0	1	6	Spice	0	0	8
Two tongues	0	4	0	2 pounds tobacco . . .	0	2	0
7 pounds bread	0	3	6	4 dozen pipes	0	2	8
Onions	0	0	6	4½ pounds cheese . . .	0	4	6
Cranberries	0	0	8	10 mess-meat pies . . .	0	7	6
6 cabbages	0	2	0	9 mess-apple pies . . .	0	6	9
Turnips	0	1	6	Wood	0	5	0
Parsnips	0	1	0	Porterage	0	5	0
Potatoes	0	0	8				
Eggs	0	1	6				
					£10	6	6

The same variety of meats appears as before. Of the poultry, turkeys are substituted for geese; of vegetables, carrots are omitted, in place of which are onions, cabbages, and parsnips. Besides these are potatoes, which probably now, for the first time, were seen at a public college-dinner in America. The quantity used—probably no more than two pounds in weight—indicates their extreme rarity. I doubted, at first, whether I read the word aright: but, on further examination, I found that Mr. Bordman (the steward) bought of Mrs. Stevens, 30th March, 1699, "three-fourths pound potatoes" for £1. 1s.; and that he sold to Christopher Christophers, 8th May, 1699, "one pound potatoes" for fourpence. Whether this vegetable was raised here, or imported, I know not. Another special luxury provided for

this occasion, the "pipes" and "tobacco," I do not find included in the "bill of fare" at any other dinner. If the quantity of wine, beer, and cider, at the commencement-dinner, seemed large, it dwindles into insignificance when compared with the bountiful supply now furnished in honor of President Leverett. At the commencement, the cost of these articles constituted somewhat less than one-quarter part of the whole expense; at the installation, more than one-half. An account of this installation, and the names of some of the reverend and honorable guests at the dinner, may be found in Peirce's "History," pp. 80, 81. A more particular account by Judge Sewall, one of the eldest and gravest overseers, is contained in the Appendix to Quincy's "History," vol. i. p. 493. After describing the ceremonies of the installation, the Judge says, "Had a very good dinner upon three or four tables;" and, he impressively adds, "Got home very well. *Laus Deo.*"

Passing over an interval of thirty years, we come to "28th September, 1737. Dinner at the instalment of President Holyoke:" —

	£	s.	d.
24 loaves bread, 10s.; eggs, 13s.	1	3	0
10 quarts milk, 4s. 2d.; 7 pounds sugar, 10s. 6d.	0	14	8
2½ ounces spice, 10s.; 7 pounds flour, 4s. 1d.	0	14	1
7 pounds raisins, 9s. 4d.; 6 pounds currants, 9s.; 15 pounds suet, 15s.	1	13	4
Butter for the pans	0	1	0
23 pounds pork, 34s. 6d.; neats' tongues, 30s.	3	4	6
28 fowls, boiled and roast	3	10	0
200 pounds boiled and roast beef, at 8d.	6	13	4
7½ pounds roast pork	0	7	6
22 pounds butter, 55s.; cabbages, carrots, and turnips, 12s.	3	7	0
Pepper, vinegar, and loaf-sugar, 4s.	0	4	0
3 turkeys, 18s.; onions and cranberry-sauce, 5s.	1	3	0
Dressing	7	11	9
8½ pounds cheese, 12s. 9d.; bread, 25s. 6d.	1	18	3
5 dozen plates of apple-pie and spice	3	0	0
10 gallons wine	6	0	0
Wood	0	2	6
	£41	7	11

In this dinner, a new feature appears. The bread, eggs, milk, sugar, spice, flour, raisins, currants, and suet seem to have entered into a form which required "butter for the pans;" but, whether puddings or cakes were the result, I am not sufficiently skilled in cooking to determine. Magnificent cakes were manufactured in those early days. Tutor Flynt was charged by the steward, in 1703, and again in 1704, for two cakes at commencement, twenty-seven shillings each. Possibly similar cakes may be here indicated.

Ten years later, three smaller dinners were provided in rapid succession, substantially alike, yet with circumstantial differences.

6th April, 1747. — Corporation Dinner.

	£	s.	d.
8 biscuit, 3s. 4d.; milk, 9d.; eggs, 5s.; nutmegs, 6s.; flour, 1s.; sugar, 3s. 6d.	0	19	7
9½ pounds roast and 8½ pounds boiled beef	1	15	6
8½ pounds roast veal, loin	0	17	0
6½ pounds salt pork	0	18	9
Calf's head and pluck	0	7	0
Bread and biscuit, 5s.; 2½ pounds cheese, 8s.	0	13	0
Carrots and potatoes	0	5	0
Pepper, 1s. 6d.; pickles, 1s. 6d.	0	3	0
7 pounds butter	1	11	6
Dressing	2	10	0
4 mess-buttered apple-pies	1	12	0
2 gallons wine, 14s.; beer, 1s.; wood, 4s.	0	19	0
	£12	11	4

22d April, 1747. — Dinner for Overseers' Committee.

	£	s.	d.
Biscuit, 20d.; milk, 7d.; eggs, 3s.; nutmegs, 6s.; flour, 4d.; su- gar, 1s. 9d.	0	13	4
9½ pounds salt beef, 19s. 6d.; salt pork, 6s.	1	5	6
7 pounds roast veal, 14s.; carrots, potatoes, vinegar, sugar, 4s.	0	18	0
Butter, 17s. 6d.; cheese, 4s.; bread, 2s.; biscuit, 2s. 6d.	1	6	0
Dressing	1	7	10
2 mess-buttered apple-pies	0	16	0
Wine, 14s.; beer, 1s.; wood, 5s.	1	0	0
	£7	6	8

12th May, 1747.—Dinner for the Overseers.

	£	s.	d.
15 pounds biscuit, 6s. 3d.; milk, 18d.; eggs, 7s. 6d.; nutmegs, 9s.; flour, 12d.; sugar, 4s. 3d.	1	9	6
23½ pounds boiled beef, 24½ pounds roast, 2s. 6d. per pound	5	19	4
7½ pounds salt pork	1	10	0
6½ pounds roast veal, 6 pounds boiled veal	1	5	0
Carrots, potatoes, and herbs; pickles, 1s. 8d.; vinegar and pepper	0	15	0
8 pounds butter, 40s.; bread, 10s.; beer, 1s.	2	11	0
Dressing	6	17	7
3 apple-pies, 36s.; 2½ pounds cheese, 11s.	2	7	0
Wine, 28s.	1	8	0
	£24	2	5

In regard to these later dinners, it will be observed that the prices indicate a depreciated currency. The steward was allowed, by vote of the corporation, to charge a certain percentage on the first cost, for "dressing" the food. The last three dinners, like that of ten years' earlier date, are distinguished by the cakes or puddings. The "butter for the pans" is not separately mentioned, but is probably included in the general charge for "dressing." Although the three were generally similar, yet a difference may be mentioned. The corporation consumed comparatively less wine than the overseers, and less by about one-half than the overseers' committee; but they were amply compensated by the exclusive enjoyment of a "calf's head and pluck."

Mr. NORTON called attention to a book, recently published in England, entitled "Personal History of Lord Bacon," by Mr. Dixon, which he considered less deserving than is generally supposed. He sustained this opinion, and exemplified the character of the book, by showing the erroneous statements of the author with regard to American affairs.

Mr. WILLARD read a Report of the Committee to whom were referred the arguments of Sir Dudley

Rider and Sir John Strange, on the appeal of Phillips *vs.* Savage from Massachusetts to the King in Council in 1734 and 1738.

Mr. WILLARD stated that the report had been drawn up by his colleague on the Committee, Mr. Ames.

The Case of Phillips vs. Savage.

The Committee to whom was referred, at the last October meeting, the printed copy of the points and authorities of the counsel in the case of Phillips, appellant, *vs.* Savage and others, from the Governor and Council of the Massachusetts Bay to the King in Council, recently brought by the President of this Society from England, and by him presented to the Society, respectfully report.

Administration on the estate of Henry Phillips of Boston, who killed Benjamin Woodbridge in a duel on the Common, July 3, 1728, and who fled to France, and there died in about a year afterwards, was granted July 17, 1730, to his brother, Gillam Phillips. The real estate of Henry Phillips was appraised at three thousand nine hundred and fifty pounds, in the inventory which was returned into the Probate Office, Oct. 12, 1730. Henry Phillips was never married, and his father died before him. He died intestate, leaving his mother, one brother, two sisters (one the wife of Habijah Savage, and the other the wife of Arthur Savage), and the children of a deceased sister, Mrs. Butler.

On the sixth day of April, 1733, the Judge of Probate for the County of Suffolk issued his warrant to five freeholders, directing them "to make a just and equal division, or partition, of the estate, in housing and lands, whereof Henry Phillips, late of Boston, gentleman, deceased intestate, died seized and possessed, between his mother, brother, and sisters, or their legal representatives, in five equal parts, or shares." The committee so appointed performed the service as di-

rected by setting off one-fifth part of said real estate to Hannah Phillips, the mother of the said Henry Phillips; one-fifth part to Gillam Phillips, his brother; one-fifth each to Hannah Savage and Faith Savage, his sisters; and the other fifth of said real estate to the children of Mrs. Butler,—as appears by the return of the committee, dated May 11, 1733. The Judge of Probate allowed and confirmed the doings of said committee, in Probate Court, May 15, 1733.

On Thursday, Oct. 18, 1733, Gillam Phillips presented to the Governor and Council an appeal from the decree of the Judge of Probate of May 15, 1733, confirming the doings of the committee, which he insisted were wrong and erroneous; for that he, said Gillam Phillips, as the only brother of the deceased, was his heir, according to the common law of England. The appeal was read; and it was then ordered that a hearing be had of said appeal on Friday, the second day of November then next, at three o'clock, P.M.; and that the appellant seasonably serve the adverse party with a copy of the reasons of appeal, and of the said order of the Governor and Council thereon.

On the second day of November, 1733, a hearing was had before the Governor and Council (Belcher, Governor, in the chair); and the record of the Council says, that "the pleas, allegations, and evidences in the case being fully considered," it was "ordered and decreed, that the order of the Judge of Probate for the County of Suffolk for dividing the real estate of Henry Phillips, deceased, among his mother, brother, and sisters, &c., be and hereby is affirmed."

On the sixth day of November, 1733, Gillam Phillips presented his petition to the Governor and Council, praying to be admitted to appeal to the King in Council from the said decree of the Governor and Council; which petition was, on the same day, dismissed.

By an order of the King in Council, passed Feb. 12, 1734, Henry Phillips was allowed to appeal from the order of the

Judge of Probate of April 6, 1733, issuing the warrant to the committee of five freeholders to divide the real estate; and from the order of the Judge of Probate of May 15, 1733, allowing and confirming the return of the committee; and from the order of the Governor and Council of Nov. 2, 1733, affirming the decree of the Judge of Probate: and the cause was heard before the Lords of the Committee of his Majesty's most Honorable Privy Council on Friday and Monday, the thirteenth and sixteenth days of January, 1738, when the respective orders or decrees appealed from were affirmed, and the appeal dismissed.

The papers presented by the President, and referred to your Committee, prove themselves. The lesser document in length is the printed points, or heads of argument, of Sir Dudley Rider (afterwards Lord Chief-Justice of England, and the immediate predecessor of Lord Mansfield), then at the bar, and of his associate, who argued the case before what is now called the Judicial Committee of the King in Council, in behalf of Gillam Phillips. The longer document is the printed points of Sir John Strange, afterwards Master of the Rolls, then at the bar, and of his associate, who argued the case for the appellees.

When causes are argued upon printed points, or heads of argument, handed up to the judges, the rule is to pass a copy to the counsel of the adverse party. The copy before the Committee would seem to be those, or a copy of those, that were in the hands of Sir John Strange; for there are, in manuscript, upon the margin of the copy of the printed points of Sir Dudley Rider, strictures upon the argument, evidently drawn by one versed in the cause, and which were probably minutes by which to reply to the line of argument therein.

Who John Brown was, the associate counsel with Sir Dudley Rider, we have no means of knowing. Jonathan Belcher, the associate of Sir John Strange, was doubtless the son of the then Governor of the Province, and who graduated at Harvard College in 1728.

The Massachusetts act for the settlement and distribution of the estates of intestates, passed in the year 1692, and approved by the King in Council, pursuant to the second charter, provided, that, if the intestate left no wife nor children nor father, his estate, real and personal, should go "to the next of kin of the intestate in equal degree, and their legal representatives as aforesaid, and in no other manner whatsoever." By the act passed at the May session, 1710, of our General Court, entitled "An Act in Addition to, and for Explanation of, the Act for the Settling and Distribution of the Estates of Intestates," it was provided, "that if, after the death of the father, any of his children shall die intestate, without wife or children, in the lifetime of the mother, every brother and sister, and the representatives of them, shall have an equal share with her in the estate of the intestate."

By the terms and plain meaning of either act, the decision of the Judge of Probate and of the Governor and Council was right: but the Province Charter empowered the Governor and General Court to make such laws and statutes, "so as the same be not repugnant or contrary to the laws of this our realm of England," as they should judge to be for the good and welfare of the Province; and, under that clause in the charter, it was contended for the appellant, Gillam Phillips, that it was not within the constitutional power of the Governor and General Court to make an act or law, regulating the descent of real estate in this Province, differing from the law of descents in England.

In 1699, the Colonial Legislature of Connecticut passed an act for the distribution of personal estate, and the descent of real estate of intestates, like our act of 1692.

The Connecticut Charter empowered their General Court to make and establish laws, "not contrary to the laws of this realm of England;" but no provision was therein made that the same should be sent over to be approved or disallowed by the King in Council, as was provided in the Massachusetts Charter.

All the lands of the first Governor Winthrop of Connecticut descended to his son John. John died, leaving the same to his brother, Wait Winthrop: and Wait Winthrop died intestate in 1717, leaving two children only; viz., his son John, and his daughter Anne, the wife of Thomas Lechmere, Esq. Mr. Lechmere made claim to a share of the lands; and notwithstanding Mr. Winthrop protested that the whole *lands* of his father descended to him from his ancestors, *secundum legem et consuetudinem Angliæ*, Mr. Lechmere was sustained in the Probate Court, and, on an appeal by Mr. Winthrop, again in the Superior Court of Connecticut. Mr. Winthrop appealed to the King in Council; and on the fifteenth day of February, 1728, he there obtained a decree annulling the judgments of both the Probate Court and Superior Court of the Colony of Connecticut, and declaring the Colony law of Connecticut of 1699, entitled "An Act for the Settlement of Intestates' Estates," to be null and void, and of no force or effect whatever, on the ground that said act was contrary to the laws of England, and was *not warranted by the charter of the Colony of Connecticut*. And the authorities of the Colony of Connecticut were notified, at their peril, to yield due obedience to every part of the decree of the King in Council, reversing the judgment of the Probate Court and of the Superior Court of the Colony, on the appeal of Mr. Winthrop therefrom.

On this precedent, Sir Dudley Rider did not fail to rely as a high authority, as will be seen by examining his printed points, &c.

But, by the charter of this Province, it was provided that the acts and laws of the General Court should be sent to England, by the first opportunity after the making thereof, for the royal approbation or disallowance; and, under that provision in the charter, the Provincial Government regularly sent their acts, and regularly received rescripts from the King in Council, declaring the approbation of some acts and laws, and

disapproving, disallowing, and repealing others, and declaring the same void. The King and Council, as evidenced by their rescript in due time had, approved the Massachusetts act of 1692, entitled "An Act for the Settlement and Distribution of the Estates of Intestates." By that confirmation and approbation, the King and Council were committed; and it was held that the Massachusetts statute of descents was valid, and the decision of the Probate Court (and of the Governor and Council on appeal) in dividing the real estate of Henry Phillips were affirmed, notwithstanding the decision in the case from Connecticut.

The laws of Massachusetts and Connecticut, regarding the transmission of real estate by inheritance, were both equally contrary to the laws of England. Why, then, the difference in the two cases, when brought before the King in Council? The laws had been in force many years, and doubtless many titles to real estate vested upon them as the settled laws of the land; and a uniform course of decision would seem to be a matter of course, when the legal provision was the same in both governments.

The whole difference in the two decisions seems to have arisen from the fact, that the Massachusetts Charter required that the enactments should be sent home for approval or rejection, while the Connecticut Charter contained no such provision. Hence, when the Connecticut appeal came before the King in Council, it was an open question, to be decided untrammelled by any ratification or affirmation of the law by them.

The cases argued before and decided by the Privy Council were not reported and published before the forty-ninth year of George III. Since that time, they have been regularly published and printed for the use of the profession of the law.

This printed copy of the arguments, or of the statement of points and authorities, of such eminent lawyers as Sir Dudley Rider and Sir John Strange upon a case appealed from the

courts of this Province to the King in Council in 1734, and argued and determined in 1738, is a great curiosity to a Massachusetts lawyer; and your Committee recommend that the Society refer these papers to the Publishing Committee of the next volume of our Proceedings, as documents in the history of our jurisprudence worthy of preservation and publication by this Society.*

ELLIS AMES,
JOSEPH WILLARD, } Committee.

The report was accepted, and the papers referred to the Publishing Committee.

Mr. R. FROTHINGHAM, JUN., offered a few remarks in relation to an Autobiography of Colonel David Fanning, dated 1790, copied from the original, now in Nova Scotia, by Mr. Porter C. Bliss; which manuscript the President had requested Mr. Frothingham to examine. On motion, the subject of the Autobiography was referred to the Standing Committee, to take such action with reference to its purchase as they might deem advisable.

ANNUAL MEETING, APRIL 11, 1861.

The Society held its annual meeting this day, Thursday, April 11, at twelve o'clock, noon; the President, HON. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Mercantile-Library Association of San Francisco; the Philadelphia Society

* For these papers, see p. 64 of this volume.

for alleviating the Miseries of Public Prisons; the State Historical Society of Wisconsin; George Adams, Esq.; Messrs. Adams, Sampson, and Company; Francis B. Crowninshield, Esq.; General J. Watts de Peyster; William F. Goodwin, Esq.; Hugh B. Grigsby, LL.D.; B. P. Johnson, Esq.; James Lenox, Esq.; Rev. William S. Perry; J. Sullivan Warren, Esq.; Hon. Henry Wilson; and from Messrs. Deane, Green, Lamson, Parker, Quint, Robbins (C.), Wheatland, and Winthrop, of the Society.

Before proceeding to the business usually transacted at the annual meeting, the President remarked as follows:—

It may be pleasant to us all to remember that our Society has now completed the full term of threescore years and ten since its original organization; and this large attendance, at so inconvenient an hour, affords cheering evidence that the interest in our proceedings has not abated with the lapse of time. It is peculiarly welcome to observe the presence, on this occasion, of our senior Resident Member (President Quincy), whose connection with the Society covers nearly sixty-five out of the seventy years of its existence. He is here to witness the mature development of an institution of which he saw the small beginnings, and to the progress and prosperity of which he has so liberally and efficiently contributed.

Nor can we fail to notice with pleasure the presence of the accomplished gentleman of New York, Mr. W. C. Bryant, who has recently taken the place on our Honorary roll of the lamented Irving, of whom he was the fit and felicitous eulogist.

Our brief hour this morning, gentlemen, must be mainly occupied with the formal routine of reports and elections;

but we must not quite close up the record of the year that is past, without leaving upon it some expression of our respect for the memory, and of our regret for the loss, of those whose presence in these halls, and whose participation in our proceedings, we may no longer look for. Two of our most honored and valued associates have been taken from us during the last few weeks, — LEMUEL SHAW, who was chosen a member of this Society in May, 1831; and DANIEL APPLETON WHITE, who has been of our number since May, 1836. The characters and services of these distinguished persons, in their respective spheres of public, professional, and social life, have already been noticed on more than one occasion. The eminent and admirable Chief-Justice of the Supreme Court of Massachusetts, and the faithful and excellent Judge of Probate for the County of Essex, have received the testimony and the tribute which they had so amply earned from the more immediate witnesses to their official ability and integrity. It is for us to remember them in their relations to this Society, — both of them frequent in their attendance at our meetings; both of them deeply interested in our pursuits; and both of them at once admirers and emulators of the sturdy virtues of those fathers and founders of New England, whose history it is our peculiar province to illustrate. Differing from each other somewhat in age, and still more, perhaps, in the importance and extent of their official service, yet bound together by the ties of personal friendship, by the sympathies of a common profession, and by a common devotion to more than one of our noblest and most-cherished institutions, and dying, as they did, on the same day (the 30th of March last), they may well be associated here in a common expression of respect and regret. By direction of the Standing Committee, I therefore offer the following simple Resolution; leaving it to others to offer any additional Resolutions or remarks which the death of our lamented friends may seem to call for: —

Resolved, That the Massachusetts Historical Society have heard with deep regret of the death of our distinguished and venerable associates, the Hon. Lemuel Shaw and the Hon. Daniel Appleton White; and that Professor Parsons be requested to prepare a Memoir of Chief-Justice Shaw, and Rev. Dr. Walker a Memoir of Judge White, for the Collections of the Society.

Mr. PARSONS, having been called upon by the President, spoke as follows : —

It would be impossible, Mr. President, to decline the honorable duty which your resolution purposes to confide to me, however much I might wish that it rested upon others who were better qualified to discharge it. I have not had so close and constant an intimacy with Judge Shaw as some whom I now see; but I have not been without opportunities for appreciating the extent and the character of his usefulness. After an acquaintance with him before he went upon the bench, and years of practice under him after he became Chief-Justice, I have been, for more than twelve years, a professor in the University of which he was one of the governing body, and a member of the Faculty which was peculiarly under his care.

From the first moment that I knew him, or knew of him, he has been constantly growing in the respect and confidence of the community. He carried with him, to the bench, ability, industry, learning, cautious and comprehensive sagacity, and absolute integrity; and upon him rested all the hopes which characteristics like these would inspire and justify.

But I have thought it one of his most remarkable peculiarities, that these high qualities were never in him opposed and enfeebled by those counteracting weaknesses and proclivities which other men have suppressed and overcome, but very few have found no need of overcoming. For example, vanity — and I mean by this the love of distinction, applause, and popularity — has been called a universal passion; but it had

no place in him. No man was ever truly great, certainly no man was ever a great judge, in whom this desire exerted an influence over his opinions, his conduct, or his relations with the parties or the questions which came before him. He had no need to be on his guard against this adverse influence.

So, too, if we look at a lower proclivity, — the care for one's own interest or position, and the wish to strengthen their foundations, and insure their permanence, — we shall seldom find those who occupy a high place, and fill with activity and usefulness a wide sphere, who do not need to remember that they must learn to forget self: but this thought, this caution, never came to him; and there never was any reason for its coming. We may go still farther: he could gratify his taste for literature or science, and accept and enjoy social recreations freely and cordially; but no man ever supposed that he gave to these things a moment or a thought which any duty demanded.

And, more than this, I have known men who were not weakened by vanity, nor negligent of duty, but who could not readily forget a conclusion which they had once formed, or a word or act by which they stood committed. Perhaps strong men are those who are most often harmed by this form of selfishness. What they have said or done is theirs, — is them. It has become a part of their identity, and it is scarcely possible for them to throw it off. But, of this weakness, Judge Shaw seemed to have not one particle. The profession over which he presided knew this, and perhaps the public know it. For myself, I have had some occasions to ask him to revise an opinion, to change a conclusion, or modify some course which he had recommended; and sometimes I have succeeded, and sometimes I have failed. But I say, unhesitatingly, he was the only man I ever knew who could again consider a question upon which he had once passed, with the same perfect and unencumbered freedom of inquiry as if it were presented to him then for the first time. Nor was this

the effect of watchful and successful resistance to this common weakness: it came from the fact, that, in the discharge of duty, of any duty, the thought of self never intruded.

I have mentioned these things, not merely because they seem to me characteristic of him, but because I think they contributed very much to his greatness. None of the strength of his character was wasted in watching or resisting or neutralizing any other of its elements. From the first hour that he became a judge (to go no farther back), all the moral and intellectual power that was in him was given to his duties, without obstacle or hinderance or diminution. No wonder that day by day, and every day, his greatness grew, until it reached its full stature. While other good men and eminent men, after they have overcome opposition from without, find new enemies within, calling them to a more perilous encounter, he lived straight on. Indeed, his life, in all of its relations to public duty, seemed to me one continued exercise of justice and of wisdom. It was his happiness to be — and it was our happiness, and that of the generation which knew him, and of the Commonwealth, to see in him — what a man may become, who goes forward in the observance of duty, every day holding a higher place in public confidence, every day finding his power of usefulness enlarged and invigorated by unobstructed exercise. If I might hope to make my meaning clearer by a similitude, I would say, that he seems to me like some strong tree which proves its vital force, not by overcoming the assaults of enemies, or healing its wounds, or rapidly replacing what it loses by adverse accidents, and so maintaining itself in health in despite of all hostility; but by living on, with never a hurt or a stain upon a single leaf, every day planting its roots deeper, and spreading its gifts more widely, and ripening its fruits into more consummate excellence.

I beg leave to submit, in addition to your Resolution, the following: —

Resolved, That while this Society grieves with the public, and with the friends and family of Chief-Justice Shaw, that this great and good man has passed away from among us, we would gratefully acknowledge all we owe to his long and useful life. He gave the whole force of his intellect and his character to the discharge of the highest public duties, and strengthened, by the profound respect universally felt for himself, the reverence of his fellow-citizens for the judicial body, and for its great functions. He has accustomed the whole community to regard the law of the land as the instrument of justice, by which all right is most certainly and most effectually defended against all wrong ; and, while this instrument was in his hands, no man in possession of his reason ever supposed that it could be obstructed or perverted by unworthy influences. At this moment, the Commonwealth of Massachusetts is stronger and safer because Lemuel Shaw was, for a whole generation, its Chief-Justice ; and we may well hope that his usefulness and his memory will be a part of the inheritance of our children and our children's children.

Mr. FELTON responded to the call of the President in the following remarks : —

It is seldom that a society like ours is called upon, as we have been, to mourn the loss of so many eminent members in such rapid succession. Death has been busy in striking down the great and the good, and removing them from our sight. They who stood in the foremost rank are passing away ; and we, who felt ourselves protected by their presence, suddenly find that protection withdrawn.

I rise, Mr. President, to say a few brief words, especially in behalf of the College, upon the character of the late Judge White, a venerable member of this Society. I shall leave to abler men, and more intimate friends of his, the grateful task of doing full justice to his memory.

Daniel Appleton White was graduated at Cambridge in the year 1797, with a brilliant reputation unsurpassed by any of his class ; and it was a class, the catalogue of which contains names for ever famous in the history of letters and science and professional eminence. The venerable Horace Binney,

who still survives in an honored old age; the late Asahel Stearns, for many years the able Professor of Law at Cambridge; the Rev. Dr. Jenks, the modest and profound scholar, still living, and studying as vigilant as ever; Dr. John C. Warren, who, five years ago, closed a life of the highest professional distinction, — were the classmates of our departed friend. Two years after taking his degree (1799), Mr. White was appointed Tutor, and held the office four years. In 1842, Judge White was elected an overseer, and continued to discharge the duties of that position until the constitution of the Board was changed by the law of 1853. He has often served on important committees of visitation, and has attended to the interests intrusted to him, with promptness, ability, and a hearty affection for the institution where he was educated. Indeed, through all his life, the College and its concerns held a foremost place in his thoughts and his love; and it is a fact not unworthy of mention, that one of the last acts of public duty performed by him was to visit the University, towards the close of the last term, as a member of the Committee on the Divinity School. He listened with deep interest to the proceedings of that occasion, and participated in the discussion of an important question which arose in relation to the School. At the dinner, when the visiting-committees of the several Schools met after the completion of their labors, I well remember how much was added to the pleasure of the meeting by the cheerful conversation of Judge White, Mr. Quincy, and Mr. Savage. It would not be easy, Mr. President, to bring together three such men at a university-committee dinner elsewhere. One has departed from us: may his associates long remain to gladden the circles in which they move by the benignant light of their presence!

From early youth, Mr. White was a scholar. In professional and public life, he found no small part of his happiness in books. He gathered around him the most select and delightful society the whole world and all time can furnish.

He conversed daily and nightly with the master-minds of the human race. In this silent and passionless companionship, he expanded his mind and refined his tastes, assimilating to his intellectual nutriment and moral growth whatever was generous in sentiment, profound in speculation, exquisite in expression, exalting in religious spirit. He was a good classical scholar, when classical scholarship was rare. Associated with the late John Pickering, — one of the noblest and most learned men our country has yet produced, — he assisted in preparing the first American edition of a Roman author, with an original Latin commentary, ever published in the United States. But literary studies never interfered with his duties to his profession, to society, to friendship, to the domestic circle. He might have said with Cicero, "*Ego vero fateor, me his studiis esse deditum. Ceteros pudeat, si qui ita se literis abdiderunt, ut nihil possint ex his neque ad communem afferre fructum, neque in adspectum lucemque proferre. Me autem quid pudeat, qui tot annos ita vivo, ut ab nullius unquam me tempore aut commodo, aut otium meum abstaxerit, aut voluptas avocarit, aut denique somnus retardarit? . . . Hæc studia adolescentiam alunt, senectutem oblectant, secundas res ornant, adversis perfugium ac solatium præbent; delectant domi, non impediunt foris, pernoctant nobiscum, peregrinantur, rusticantur.*"

It always seemed to me that the character of Judge White was not a difficult one to read, however rare the combination of excellences which it presented. He united gentleness of nature with decision and firmness. He was modest, but fearless. He had a boundless toleration for varieties of opinion, and charity for error. Clear and decided in his own convictions upon questions of duty and religious faith, he was utterly free from the acrimony of sectarianism, and granted to others the intellectual freedom which he claimed and exercised for himself. He never usurped, as some good men do, the Almighty's prerogative of judging the secret hearts of

men. His manners were genial, bland, conciliating. He gave to others their full share of all social rights. His conversation was quiet, refined, scholarly, and full of pleasantry. It is for others to speak of the charm of his domestic character, the beauty of his daily life, the blessings he shed around him upon his immediate family: I speak of him as I knew him, chiefly in his academic relations.

I know of no happier lot than fell to our associate. Childhood and youth passed under auspicious influences; manhood, enjoying the public confidence and the warmest affections of private life, passed in honorable and useful labors, adorned by elegant studies; age advancing by imperceptible steps, leaving health unimpaired, affections unchilled, intellectual faculties undimmed, sympathies undiminished; old age marking his countenance only deep enough to show its presence, not even strewing his shapely head with white hairs,—enjoying with placid serenity the highest satisfactions of memory and hope;—these were the conditions in which our friend passed his days, and approached the great change through which all must pass; and these conditions, happy beyond the common lot, were crowned by a calm and painless death.

His place in the domestic and friendly circle is vacant. His neighbors miss his gracious form in the streets. We shall meet him no more; we shall hear his voice no more; we shall no longer enjoy, in living form, the *mitis sapientia Læli* at the University, in meetings for business, or at our academic festivals. The withdrawing of so much excellence from among us is sorrowful; we cannot help feeling it as a heavy loss: but the character and life of such a man are among our most precious treasures. The best part is not lost by earthly dissolution; nay, it acquires new powers, beyond the reach of time and chance to affect or lessen. Death has clothed it with an inviolable sanctity, and the grave is but the gateway that leads to immortality. This is the order of nature, the will of God. Let us follow courageously in the heaven-illuminated

path of the good and famous men who have gone before.
Let us remember the words of our American poet, —

“Lives of great men all remind us,
We can make our lives sublime;
And, departing, leave behind us
Footprints in the sands of Time, —

Footprints, that perhaps another,
Sailing o'er Life's solemn main, —
A forlorn or shipwrecked brother, —
Seeing, may take heart again.”

I offer the following Resolutions: —

Resolved, That the members of the Massachusetts Historical Society share in the general sorrow for the death of their late associate, Judge White of Salem. They appreciate his noble and beautiful character, and the beneficent influences of his life; they have a mournful pleasure in acknowledging the services he rendered to the community by his rare devotion to letters and to education, equally in the elementary departments, the University, and the professional school; they remember with gratitude the happiness he diffused by his genial and refined manners, his unostentatious charities, and the unpretending wisdom of his counsels; and they will ever cherish the memory of an associate whose life was an example of the purest civic virtue, adorned with elegant tastes, the amenities of the scholar, and the graces of the Christian gentlemen.

Resolved, That a copy of the Resolutions be transmitted to the family of the deceased, as an expression of our sympathy with them in their bereavement.

Dr. WALKER, in seconding the Resolutions submitted by Mr. Felton, spoke as follows: —

Mr. PRESIDENT, — In rising to second the Resolutions which have just been read, I cannot help observing, that here especially Judge White ought to be remembered; for here his favorite studies, and his most cherished sympathies and associations, found a home. Taken as a whole, it seems to me that Judge White's career came nearer to being a realization

of the young scholar's dream of life than any other which I have known. He kept up his literary tastes, his Latin and Greek, and his love of general reading, to the last. But what interested him most was history; above all, the history of New England, and particularly that of his native State. His own personal recollections went back very far. He was born in 1776: so that his life must be said to have extended over the whole of our proper national existence. What life of a distinguished Massachusetts man has been written, within the last quarter of a century, which has not derived important additions and confirmations from Judge White's reminiscences? Indeed, as my intimacy with him did not begin until he was advanced in life, I have always been tempted to look upon him as one of the old worthies of New England, living down into our own day, with his character softened and modernized in a thousand ways as to its expression, but, in every thing pertaining to solid and inflexible principle, not degenerated one whit.

Mr. President, he has been gathered to his fathers in a good old age, full of faith and hope and charity. Let not a thought of discontent or gloom touch his memory. What more or better could we desire for ourselves, or for any of our friends, than such a life and such a death?

Impressive remarks having been made upon the character and services of the honored dead by Mr. QUINCY and Mr. SAVAGE, the Resolutions were adopted unanimously.

William G. Brooks, and Horace Gray, jun., Esq., were elected Resident Members; the Very Rev. Henry Hart Milman, D.D., Dean of St. Paul's, London, an Honorary Member; and William Noël Sainsbury, Esq., a Corresponding Member.

The Recording Secretary communicated the following letter from the Hon. Levi Lincoln, a Resident Member of the Society, accompanying and presenting an autograph-letter from President Jefferson to his father, then acting as Secretary of State of the United States:—

WORCESTER, April 10, 1861.

Rev. CHANDLER ROBBINS, D.D., Sec. of Mass. Historical Society.

DEAR SIR,— I send to you, for the Massachusetts Historical Society, an original letter from Mr. Jefferson to my father, preserved among the papers of the latter. It must be valued as the beautiful autograph of a distinguished man; and is especially curious, as furnishing a striking contrast between the difficulty of travel in the central part of our country sixty years ago and the facility of intercommunication at the present time.

With assured respect and esteem, yours truly,

LEVI LINCOLN.

MONTICELLO, April 25, 1801.

DEAR SIR,— I should have set out for Washington this morning, but that it has now been raining upwards of a week, with some intermissions; is still raining, and the wind at north-east. Of eight rivers between this and Washington, five have neither bridges nor boats. As soon as the one on which I live is fordable, it will be a signal that the others are so. This may be to-morrow: and in that case, if it has ceased to rain, I shall set out, and be with you on the fourth day, which will be before you get this; otherwise, as soon as the weather and water-courses permit. For as to the roads, they are to be knee-deep the whole way for some time yet.

Mr. Madison has been so ill as to be confined to his bed some days, but so far recovered as to propose to set out when the weather permits.

The post arrived yesterday with your letter of the 16th, after being retarded thirty-six hours.

Accept assurances of my affectionate esteem and respect.

TH. JEFFERSON.

LEVI LINCOLN, Esq., Secretary of State.

Voted, That the thanks of the Society be presented to our respected associate, Governor Lincoln, for the valuable autograph-letter of Mr. Jefferson which he has contributed to the archives.

The Annual Reports of the Standing Committee, the Treasurer, the Librarian, and the Cabinet-keeper, were read and accepted, and ordered to be placed on file, subject to the disposal of the Committee on the publication of the Society's Proceedings.

Annual Report of the Standing Committee.

The Standing Committee, in presenting their Annual Report, would offer their congratulations to the Society on its continued prosperity and usefulness. Although its annals for the past year may not be marked by any of those special tokens of favor which have characterized some of its previous years; although no large streams of munificence have flowed into its coffers, affording, as hitherto, such valuable accessions to its pecuniary and literary treasures, — still there is abundant evidence of a vital interest in its welfare and success.

At the monthly meeting in September, the members were glad to welcome back to his accustomed chair — which he fills so acceptably to all, and which, we trust, he may continue to occupy for many years to come — our President, who had been absent, with his family, in Europe, for about fifteen months. Though necessarily more or less absorbed, while abroad, by other scenes and objects, and sometimes with cares not without their anxieties, the interests of this Society, as its officers can bear testimony, were never lost sight of by him. This is partly evidenced since his return by the many additions made by him and through him to the library and cabinet; and by the valuable papers illustrative of our early history, copied at his expense from the originals in the State-

paper Office, in London, for the use of the Society. Some of these papers have been read at the monthly meetings, and will form a most attractive feature in the next volume of Proceedings.

The Standing Committee are required by the By-laws of the Society to make a careful examination of the library and museum, and also of the Dowse Library, and to report in detail, at the annual meeting, on their condition.

[The details of this annual examination, which were given in the Report, are here omitted.]

For the increasing accessions to the library, more shelf-room is needed; and should be provided for at once, in the apartments above, to a considerable extent. Books are worthless unless they are accessible when called for. Every book and pamphlet in the library should have its place, and the Librarian should know where to put his hand upon it at once.

No books have been purchased for the library the past year (eighteen only have been added by way of exchange). The Society, unfortunately, has no fund for the purchase of books, and is dependent for its accessions upon donations. A library formed in this way must necessarily be of a very miscellaneous character, and have great deficiencies. All libraries, of course, have deficiencies; but there are certain bibliographical and other works of reference almost indispensable, which, if the Society had a fund for the purchase of books, should at once be procured.

Of the Dowse Library but little need be said; the duty of the Society being to preserve the books as they were received, yet to afford every facility for their use, agreeably to the rules adopted for the government of this library. The sections, or separate divisions of the shelves, have been lettered at the top, and the library-catalogue has been marked to correspond; so that any book in the catalogue can be found on the shelf.

The Cabinet-keeper will report on the department under his special care: but the Standing Committee cannot forbear to allude to one subject to which he will call the attention of the Society; viz., the condition of some of the portraits in the cabinet. Many of these, and among them the oldest and most valuable in the collection, are fast fading and crumbling away, and need the restoring hand of art to save them from absolute destruction. If the Society had suitable apartments in which to exhibit their pictures, they might reasonably count upon many donations of historical portraits and other pictures of value, and this department of our cabinet be made most interesting and attractive.

It is to be hoped that the Society may have the good fortune, before many years, to be able to occupy the whole of this building, including the apartment below, which they are now obliged to lease, and which would afford ample and elegant accommodations for the cabinet and library.

The Treasurer's Report shows in detail the property of the Society, and the income it possesses for its current expenses. This, as the Committee know by experience, is, by far, too restricted. As has been stated, there is no fund for the purchase of books. Indeed, the means of the Society are wholly inadequate for its legitimate wants; and while the Committee cannot fail to acknowledge the promptness and liberality with which many members have met the calls which have been made upon them from time to time, during the past few years, to furnish means to carry forward the purposes of the Society, it cannot be concealed that the necessity of such appeals shows that the great want of the Society is a permanent, unrestricted fund to its General Account.

The Committee will not conceal their regret that the year should have passed away without the appearance of a volume of Collections from either of the two Publishing Committees which were charged with their respective duties:

but they are gratified in being able to add, that the printing of a volume has been commenced, to embrace a portion of the manuscripts, belonging to the Prince Library, known as the Hinckley and Mather Papers; and they confidently hope, that, before many months, the Committee in charge will be able to report that the volume is completed.

The last volume of Collections was published in 1858: the first volume was issued in 1792. During these sixty-seven years, thirty-four volumes of Collections have been published; making an average of one volume in two years. All these, except the two last, were published with only the ordinary resources of the Society. With the Appleton Fund, the Society has the means, if devoted entirely to publication, of printing a volume every year, even if no returns from the sale of such a volume should be realized; and the Society is in possession of the richest amount of manuscript material, awaiting publication, sufficiently large to tax the industry of the most active Publishing Committees for many years to come.

Four names have been stricken from the list of Resident Members during the past year. The death of Mr. Judd was noticed by Mr. Savage at the May meeting; and the death of Dr. Lowell, by the President, at the meeting in February, — appropriate tributes being paid to the characters of these excellent men. And to-day the Society has been called upon to notice the departure, since the last meeting, of two among the most distinguished upon its Resident roll, — the Hon. Lemuel Shaw, late Chief-Justice of this Commonwealth, and the Hon. Daniel A. White, late Judge of Probate for the County of Essex.

Nine Resident Members have been elected the past year; and, if the nomination of two made to-day by the Standing Committee is confirmed by an election, the Society will number *ninety-nine* Resident Members, — within one of the constitutional limit.

But two names have been stricken from the Honorary and Corresponding roll,—that of Charles Fraser of South Carolina, and that of Dr. Francis of New York; and the decease of these distinguished men was properly noticed by the President.

[After suggestions with reference to the time of holding the meetings of the Society, which are here omitted, the Report concludes as follows:—]

The Committee, on the conclusion of their labors, would call the attention of members to the responsibility which rests on each to do what lies in his power to further the interests of the Society. They should not forget the motto upon their seal. Too much is expected of the oldest Historical Society in the country, with its present commanding position, with its rich treasures of books and manuscripts, situated in a community of such large and growing intelligence and wealth, to permit any folding of hands, or any relaxing of efforts, to carry forward the institution to further degrees of usefulness and honor.

For the Committee.

CHARLES DEANE, *Chairman.*

Annual Report of the Treasurer.

The Treasurer of the Massachusetts Historical Society presents the following statement of its financial condition:—

GENERAL ACCOUNT FOR THE YEAR ENDING APRIL, 1861.

DEBITS.	
Balance due Treasurer.	\$777.73
Interest to Suffolk Savings Bank	1,620.00
John Appleton's Salary	699.96
George Arnold's Salary	543.22
Reprinting Volume of Collections.	261.96
Sundries.	206.64
Insurance	187.50
Boston Taxes	186.00
Printing and Binding	282.98
Historical Trust-fund	120.00
Coal	60.67
	<hr/>
	<u>\$4,946.66</u>

CREDITS.

Rent of Suffolk Savings Bank	\$2,200.00
Income of Dowse Fund	600.00
Assessments	355.00
Admission Fees	110.00
Sales of Society's Publications	1,027 00
Tax of Suffolk Savings Bank	186.00
Copyright on Sales of Life of John Quincy Adams	23.40
Sundries	9.75
Balance due Treasurer	435.51
	<u>\$4,946.66</u>

THE APPLETON FUND.

This fund consists of ten thousand dollars, which was presented Nov. 18, 1854, to the Society, by the executors of the will of the late Samuel Appleton, on the condition that its income shall be applied to the purchase, preservation, and publication of historical material. Volumes three and four of the Fourth Series of the Society's Collections were printed from this fund. It is invested, as it was received from the executors, in the stocks named below.

Account ending April, 1861.

DEBITS.

Balance to new Account	\$2,183.61
	<u>\$2,183.61</u>

CREDITS.

Balance of the Account of 1859	\$1,203.61
Dividends on 2 Shares of Amoskeag Company	200.00
" " 2 " " Stark Company	200.00
" " 1 Share " Appleton Company	100 00
" " 1 " " Hamilton Company	90.00
" " 1 " " Merrimack Company	100.00
" " 1 " " Cotton Mills	90.00
" " 1 " " Suffolk Company	100.00
" " 1 " " Manchester Prints	100.00
	<u>\$2,183.61</u>

The fifth volume of the Fourth Series of the Collections is now going through the press; and the expense of this, with the volumes to consist of the Winthrop Papers and the Washington Papers, on which committees are now engaged, will require the whole of this balance.

MASSACHUSETTS HISTORICAL TRUST-FUND.

This fund consists of two thousand dollars, presented to the Society, Oct. 15, 1855, by Hon. David Sears; the annual income of which may be expended in certain specified objects, as the Society may, by special vote, direct.

Account to April, 1861.

DEBITS.

Balance in the Treasurer's hands	\$150.57
	<u>\$150.57</u>

CREDITS.

Balance of Account of 1860	\$30.57
Income to March 1, 1860	120.00
	<u>\$150.57</u>

THE DOWSE FUND.

This fund, of ten thousand dollars, was presented to the Society, April, 1857, by the executors of the will of the late Thomas Dowse; and it is invested in a note signed by Edward Hyde and O. W. Watris, secured by mortgage on real estate. The income, six hundred dollars, is used for heating the library-room, insurance on the library, and a portion of the salary of the Librarian.

THE CATALOGUE FUND.

This is a special fund, raised by subscription, to print the Catalogue of the Society's Library, which has just been completed.

DEBITS.

Due the Treasurer, on account of 1860	\$177.10
Paid John Wilson & Son, balance for printing the Catalogue	703.00
	<u>\$880.10</u>

CREDITS.

Subscriptions received	\$300.00
Balance due the Treasurer	580.10
	<u>\$880.10</u>

PROPERTY OF THE SOCIETY.

The Estate on Tremont Street. — The Society purchased, March 6, 1833, of the Provident Savings Institution, the second story and one-half of the attic story of this building, for \$6,500; and on the 13th of March, 1856, the remainder of the interest of this institution, for \$35,000. A portion of this was paid by subscription; and, for the remainder, the Society mortgaged the whole estate to the Suffolk Savings Bank for Seamen and others, for \$27,500. Five hundred dollars have been paid on this note. The lower floor is leased to this bank for fifteen years from March 1, 1856, for \$2,200 per year.

The Library, Paintings, and Cabinet. — The general library consists of about nine thousand bound volumes, and fifteen thousand pamphlets.

The Society's Publications. — These consist of the thirty-four volumes of the Collections, two volumes of Proceedings, and two volumes of the Catalogue, — about six thousand volumes, — which are for sale.

The Appleton Fund, of ten thousand dollars.

The Massachusetts Historical Trust-fund, of two thousand dollars.

The Dowse Library. — This library was presented to the Society by the late Thomas Dowse, and consists of about five thousand volumes.

The Dowse Fund, of ten thousand dollars.

The Copyright of the "Life of John Quincy Adams." — This was presented to the Society by Hon. Josiah Quincy. A new edition has been issued the last year by Crosby, Nichols, Lee, and Company.

THE INCOME.

The income of the Society consists of an annual assessment, on each Resident Member, of five dollars, or, instead, the payment of sixty dollars; the admission-fee, of ten dollars, of new members; the rent of the lower floor of the Society's building; the income of the Dowse Fund; the sales of the publications of the Society; and the sales of the "Life of

John Quincy Adams." Its income is not at all adequate to the proper maintenance of such an institution, as it will not warrant the expense of securing the full services of a Librarian.

There is no fund for the purchase of books. A permanent income for this object, that would enable the Society, from time to time, to purchase works on American history not in its library, would very largely add to its means of usefulness.

RICHARD FROTHINGHAM, *Treasurer*.

Boston, April 9, 1861.

Annual Report of the Librarian.

The Librarian of the Massachusetts Historical Society respectfully submits his Annual Report, as required by the rules of the Society. The accessions to the library since the last annual meeting amount to two thousand eight hundred and three items: viz., two thousand six hundred and seven pamphlets, two hundred and fifty-six volumes,—eighteen of these by exchange, two hundred and thirty-eight by donation,—thirty-five manuscripts, and five maps; making the whole number of volumes in the library, including four thousand six hundred and fifty volumes in the Dowse Library, to be fourteen thousand three hundred and thirty-six; comprising —

13,149 of printed books,
505 of manuscripts,
682 of newspapers.
<hr/> 14,336

To which are to be added four hundred and ninety-two cases filled with unbound pamphlets.

Among the donations to the library during the past year, special notice may be taken of—

Seven volumes of laws and public documents, with a large collection of reports, and other pamphlets, by the State of Tennessee.

Sixteen volumes, and forty-one *fasciculi*, of publications by the Royal Academy of Sciences of Lisbon.

Thirty-nine bound volumes of newspapers, by Isaac Winslow, Esq. .

Two volumes "Sussex Archæological Collections," by W. Durrant Cooper, Esq., of London.

A volume of rare Tracts, by Rev. Charles Mason, D.D.

"Das Schiller Buch," beautifully illustrated, by Dr. C. Wurzbach von Tannenberg.

Several volumes of French and German History and Biography, bearing on the American Revolution, by Hon. R. C. Winthrop.

Rush's "Occasional Productions," by the Executors of the late Hon. Richard Rush.

"Life of John C. Warren, M.D.," in two volumes, by J. Sullivan Warren, Esq.

Lower's "Patronymica Britannica," and the third edition of "Suffolk Surnames," with other publications of Mr. Bowditch, richly bound, presented by N. I. Bowditch, Esq.

Ten volumes of "Congressional Globe" and public documents, by Hon. Henry Wilson.

Two volumes of public documents of the State of Wisconsin, by the State Historical Society of Wisconsin.

Several Historical and Biographical Papers, by Count Adolphe de Circourt.

Rev. E. C. Guild, Walter Channing, M.D., Rev. C. Mason, D.D., and particularly Dr. S. A. Green, may be noticed as having presented large collections of pamphlets.

Of these accessions to the library, the titles and cross-references of all the printed books and pamphlets have been entered, by Dr. Appleton, in a Manuscript Supplementary Catalogue, and also interleaved in the Librarian's copy of the printed Catalogue; making, together with two thousand one hundred and twenty-five titles, &c., of the Catalogue of Manuscripts, a total of sixteen thousand three hundred and eighty-seven written since the publication of the Catalogue.

A separate list has also been prepared of the bound volumes of newspapers, which have been numbered and arranged conveniently for reference.

The number of volumes taken out during the past year is three hundred and thirteen; all of which are now in place.

Respectfully submitted.

S. K. LOTHROP, *Librarian.*

Annual Report of the Cabinet-keeper.

By the requirements of the By-laws, the Cabinet-keeper is expected to present an Annual Report upon the condition of his department; and, in compliance therewith, the following brief statement is made.

During the past year, there have been twenty-seven accessions to the cabinet from fourteen different sources. Among the most important additions may be mentioned the helmet given by Mrs. Tillotson of London, and supposed to have belonged to Sir Laurence Washington, of Garsdon, Wilts, who was a younger brother of Robert, the ancestor of George Washington. Apart from the associations which are naturally connected with this historical name, it is a valuable specimen of armor. We may also mention, among the gifts to the Society, four medals presented by the President, all interesting works of art, and commemorating important events.

The only outlay of money incurred by the Cabinet-keeper during the past year has been the purchase of a box for the display of Washington's epaulets, at an expense of fourteen dollars.

The most valuable department of the cabinet is the picture-gallery, comprising portraits of individuals whose names are connected with the political and ecclesiastical history of New England. This collection is one of great value and interest, containing some paintings that may well be prized, and illustrating, to a certain extent, the cultivation and progress of art in this country. Many of these pictures have been so affected by the ravages of time, that they require restoration. Colors have faded, canvas has been torn, and other changes have taken place, which demand immediate attention. It is to be regretted that means cannot be devised at once, by which this evil may be remedied. As it would involve an expenditure that might seem too lavish for the object, the suggestion is made with much diffidence. The expense for their restoration by a competent artist would be not less than one thousand dollars.

We have also a collection of coins and medals, which, if properly displayed, would add to the attractions of our rooms. It is to be hoped, that, before long, accommodations will be furnished by which this end may be attained.

Respectfully submitted.

SAMUEL A. GREEN,

APRIL 11, 1861.

Cabinet-keeper.

Mr. ROBBINS (C.) presented, on behalf of Dr. Usher Parsons, a portrait of the late Rev. Abiel Holmes, D.D.; for which the thanks of the Society were voted to the donor.

The Committee of Nomination reported the following list of officers for the ensuing year, and the gentlemen therein named were elected; viz.:—

President.

HON. ROBERT C. WINTHROP, LL.D. BOSTON.

Vice-Presidents.

JARED SPARKS, LL.D. CAMBRIDGE.

HON. DAVID SEARS, A.M. BOSTON.

Recording Secretary.

REV. CHANDLER ROBBINS, D.D. BOSTON.

Corresponding Secretary.

JOSEPH WILLARD, A.M. BOSTON.

Treasurer.

HON. RICHARD FROTHINGHAM, A.M. CHARLESTOWN.

Librarian.

NATHANIEL B. SHURTLEFF, M.D. BOSTON.

Cabinet-keeper.

SAMUEL A. GREEN, M.D. BOSTON.

Standing Committee.

LEVERETT SALTONSTALL, A.M. NEWTON.

COLONEL THOMAS ASPINWALL BOSTON.

REV. SAMUEL K. LOTHROP, D.D. BOSTON.

HON. CHARLES H. WARREN BOSTON.

REV. ROBERT C. WATERSTON CAMBRIDGE.

On motion of the Chairman elect of the Standing Committee, *voted*, That the thanks of this Society be presented to Charles Deane, Esq., Chairman of the Standing Committee, and his retiring associates, Messrs Lincoln and Whitney, for their assiduous attentions to the interests of the Society during the past year.

On motion of the Librarian elect, *voted*, That the thanks of the Society be presented to the Rev. Dr. Lothrop, for his services as Librarian of this Society during a period of six years.

MAY MEETING.

A stated monthly meeting was held this day, Thursday, May 9, in the Dowse Library.

In the absence of the President, JARED SPARKS, LL.D., one of the Vice-Presidents, was called to preside.

The Librarian announced donations from the City of Boston; Bowdoin College; the Essex Institute; the Peabody Institute; the State of Tennessee; Rev. Caleb D. Bradlee; Richard S. Fay, Esq.; William F. Goodwin, Esq.; Benjamin P. Johnson, Esq.; Nathaniel P. Norton, Esq.; E. B. O'Callaghan, Esq.; S. Urbino, Esq.; and from Messrs. Green, Metcalf, and Robbins (C.), of the Society.

The Corresponding Secretary read letters of acceptance from Horace Gray, jun., Esq., and William G. Brooks, Esq.

The Cabinet-keeper presented as a gift to the Society's gallery, from Chief-Justice Bigelow, a portrait of Daniel Boone; for which the thanks of the Society were voted to the donor.

After reading the record of the last meeting, the Recording Secretary called the attention of the Society to the following note which he had received from the President, who was necessarily absent:—

1, PEMBERTON SQUARE, May 7, 1861.

Rev. Dr. ROBBINS.

MY DEAR SIR,—As I may not be able to preside at the monthly meeting of the Society on Thursday next, I venture to put on paper two or three announcements which it would have been my privilege to make from the chair.

1. Recent English newspapers contain the following notice:—

“Died at Exeter, Eng., March 23, at St. Nicholas Priory, Rev. George Oliver, D.D., aged 80; largely distinguished for the abundance of his antiquarian acquisitions, and liberality in communication of them.”

Dr. Oliver has been on our Foreign list since the 30th of March, 1843.

2. From our American roll, we have still more recently lost the Hon. Daniel Dewey Barnard, of Albany; for many years a distinguished member of Congress, and afterwards the minister of the United States at Berlin. He was a man of great ability and integrity, a learned lawyer, an accomplished scholar, a powerful debater, an exemplary Christian gentleman. He was a native of Massachusetts; and was elected one of our Corresponding Members in June, 1839.

3. No one will forget the loss we have sustained from the circle of our Resident associates in the death of our good friend, Mr. Nathaniel I. Bowditch. Though elected but a few years since, he had rendered varied and valuable services to

the Society; and his liberal interest in its welfare was evinced by repeated contributions to its library and its treasury, even during his confinement to a bed of suffering. In his chosen department of professional life, he has left evidences of accurate and laborious research, which will secure him a long and grateful remembrance in our community; while his curious antiquarian tastes have found striking illustration in a volume which will not soon be forgotten by any one who has seen it. His kind and genial disposition, his patient endurance of severe and protracted infirmities, and his thoughtful attentions to others, ceasing only with his consciousness, have won a place for him in the affectionate recollection of many friends. . . . Sincerely yours,

ROBERT C. WINTHROP.

At the instance of the Standing Committee, the following Resolution was offered by Dr. LOTHROP, and unanimously adopted; viz.:—

Resolved, That we learn with deep regret the death of Nathaniel Ingersoll Bowditch, a Resident Member of this Society, and lament, in submission to the Divine Will, the loss which we and this whole community have sustained in the death of one whose intellectual culture, professional ability, simplicity, purity, and benevolence of daily life and character, made him worthy of the esteem and honor in which he was held; while his cheerfulness, his patience, his continued mental activity, and wise and thoughtful liberality, exhibited during a painful and lingering illness, endear his memory to those most intimately acquainted with him, and who loved him most because they knew him best.

This Resolution, seconded by Mr. SAVAGE, and responded to with much feeling by Messrs. FELTON and FROTHINGHAM (R.), was unanimously adopted.

Hon. Charles G. Loring, and Charles Folsom, Esq., were elected Resident Members, Hon. Horace Binney of Philadelphia an Honorary Member, and William Winthrop, Esq., and S. Austin Allibone, LL.D., Corresponding Members, of the Society.

The Treasurer of the Society read a letter which he had just received from J. Ingersoll Bowditch, Esq.; communicating the following extract from the will of his late brother, Nathaniel I. Bowditch: —

“I give to the Massachusetts Historical Society my copy of the work entitled ‘*Vincentii Speculum Historiale*,’ printed A.D. 1474; also the sum of one thousand dollars.”

On motion of the Treasurer, the communication of Mr. Bowditch was referred to the Standing Committee, with full power to make such disposition of the legacy as may be for the interests of the Society; and to prepare a proper acknowledgment of the generous and acceptable benefaction.

Mr. SPARKS stated that he had in his possession one thousand three hundred original and unpublished letters from General Washington, together with valuable cabinet papers, and also sixty letters from Lafayette, which he would be happy to place at the disposal of the Society.

On motion of Mr. FROTHINGHAM (R.), it was *voted*, That the Society entertain a grateful sense of the liberal tender which has been made by Mr. Sparks of many valuable letters and papers of Washington, and also letters of Lafayette, for the use of the Society; and that the papers thus generously offered be referred to the existing Committee on the publication of Washington's letters.

The Chairman of the Standing Committee read a report which had been prepared by that body in relation to the Resolutions reported, on the tenth day of May last, by a Committee of which Mr. Savage was chairman.

Report in regard to the Publication of Proceedings.

The attention of the Standing Committee has been called to the subject of a report made to the Society on the tenth day of May last by a Committee of which our worthy Ex-President was Chairman. It was printed at the time, and a copy furnished to each member, agreeably to a vote of the Society; but it has never since been called up for final action. Meantime, the whole subject of occasional reports of our proceedings is left in suspense.

The Standing Committee cordially concur in the general views embodied in this printed report. They desire to guard the dignity of the Society from too frequent appearances or from any unworthy appearances before the public. They desire to save all formal historical papers of permanent interest for the regular volumes of our Collections or Proceedings. They desire, too, to prevent any member of the Society from being exposed to having his casual remarks on casual topics caught up, and presented crudely to the public eye.

At the same time, the Committee cannot fail to believe that the Society has owed something of its increased estimation in the community of late to the occasional publicity which has been given to its proceedings; and they cannot but feel that the Society owes a debt of grateful acknowledgment to the gentlemen of the press connected with us, for the readiness with which they have so often opened their columns for occasional accounts of our meetings, as well as to so many of our members for their interesting remarks on

matters of immediate occurrence, sometimes connected with the living and sometimes with the dead, which have attracted so much of public attention to our proceedings.

It is obvious to every one, that proceedings sometimes take place at our monthly or special meetings which would lose their whole significance by all account of them being postponed till the appearance of our formal volumes, and which, though they may fitly find a place, in a revised form, in either variety of those volumes, ought yet to be the subject of immediate notice. Nor can we fail to think that it is due to the character of the Society itself, that it should occasionally make its mark on the public mind in some fit form, so as not to lose its hold on the regard and remembrance of those who may be prompted to make it the subject of their bounty, in the way of additions to our library, our cabinet, or our treasury.

While, therefore, your Committee concur entirely in the expediency and wisdom of the cautions and limitations which have been proposed in the printed report, they have thought that the whole subject might be submitted to the action of the Society, in a manner to avoid the misconstructions to which those limitations seem liable, and so as to hold out to the members less discouragement to submit papers and remarks than might be thought implied by the form and terms in which they have been presented.

Your Committee would especially suggest, that the authority and responsibility which belong to the subject should be definitely fixed somewhere; and they accordingly submit the following substitute for the printed propositions, to be added to the By-laws:—

CHAPTER XI. — *Rules in regard to occasional Reports of Proceedings.*

ARTICLE 2. — The Recording Secretary, the Chairman of the Standing Committee for the time being, and two other members to be appointed by the President, shall constitute a Committee, with full

powers to provide for occasional reports, as well as for the permanent publication, of the proceedings of the Society, subject to the following limitations : —

1. All formal historical communications, which would appropriately form a part of our volumes of Collections or Proceedings, shall be reserved for such volumes respectively ; a description of them only being given in such occasional reports.

2. No casual or even concerted discussion on topics which may engage the attention of the Society shall be reported, without a vote of the Society authorizing it ; and neither the remarks nor the name of any member shall be introduced into any report, without his permission.

3. All papers read, or remarks made, by any member, which such member shall desire or be willing to have printed, shall be submitted to the above-named Committee for the purpose, and shall be subject to their discretion ; provided, however, that any member may publish, on his own responsibility, any paper or remarks of his own which the Committee may not think fit to include in their report ; — it being understood, that, in such case, the name of the Society is not to be used in any way whatever in connection with such publication.

On motion of Mr. SAVAGE, the above report was unanimously accepted, and the recommendations therein submitted were adopted.

JUNE MEETING.

A stated monthly meeting was held this day, Thursday, June 13, at noon ; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the State of Massachusetts ; the State of Rhode Island ; the State of Tennessee ; the Smithsonian Institution ; the American Antiquarian Society ; Count Adolphe de Circourt ; D. P. Corey, Esq. ; Henry B. Dawson, Esq. ; Messrs. Du-

pee, Beck, and Sayles ; Thomas E. Glazier, Esq. ; George Prince, Esq. ; Rev. John Proudfit, D D. ; J. W. Sever, Esq. ; Rev. William B. Sprague, D.D. ; S. Urbino, Esq. ; W. W. Warren, Esq. ; John H. Watson, Esq. ; and from Messrs. Bartlet, Deane, Green, Latham, Metcalf, Sibley, and Winthrop, of the Society.

The President said he had received an interesting and most agreeable communication, which would explain itself better than he could explain it, and which he would proceed to lay before the Society. He then read the following letter : —

BOSTON, June 11, 1861.

ROBERT C. WINTHROP, Esq.

DEAR SIR, — The late Miss Mary P. Townsend, by her last will, gave several large sums to literary and charitable societies, as well as several legacies to individuals, chiefly to ladies in narrow circumstances, who had seen better days.

The residue and remainder of her estate she gave to her executors, "in trust, to pay and dispose of such residue and remainder to such charitable and public institutions as they may think meritorious." Having strict regard to the duty imposed upon us, we can discover no institution more meritorious than the Massachusetts Historical Society ; and we believe we are fully executing her will in presenting to that Society the enclosed check for two thousand dollars, which we beg the favor of you to hand to the Treasurer, as Miss Townsend's donation.

You expressed a wish that a volume of poetry of Miss Eliza Townsend, deceased, the elder sister of our testatrix, should be placed in the library of the Historical Society. Accordingly, we send you a copy for that purpose. Several of the poems were originally published in different literary journals, and were much admired. She was repeatedly solicited by her friends to suffer those fugitive pieces to be collected and republished. This she steadily refused, modestly believing that they were not worthy to be again placed before the public eye. Her surviving sister, remembering Miss Townsend's feelings on this subject, was with difficulty persuaded to print this volume for private distribution.

One of the poems in this volume was the occasion of the following incident : —

Many years ago, in the early part of this century, the "Portfolio," then edited by Nicholas Biddle, offered a prize of a hundred dollars for the best poem on a given subject. Miss Townsend was the successful competitor, and received the prize. The fortunes of her family not being then in a flourishing condition, this sum was gratefully received. In her will, made a few years ago, she acknowledges the benefits she received from this money, and directs her executors to seek out the families of Bradford and Inskeep, the publishers of the "Portfolio" (both of whom had died insolvent), and return to them the hundred dollars, with interest. This was done, and the sum of three hundred and fifty-four dollars distributed between the two families, whose pecuniary circumstances made the gift very acceptable.

You expressed to one of us your belief, that these ladies were remotely connected with your family. We assure you, they were worthy of that distinction.

Plain and simple in their manner of life, from education and habit they were frugal ; but they were indifferent to the accumulation of their property, requiring little for their own wants, and giving liberally to the necessities of others. For their goodness, and rectitude of mind, they were universally esteemed by their friends, many of whom they remembered in the distribution of their estates.

We are, very respectfully, your obedient servants,

WM. MINOT, } *Executors.*
WM. MINOT, Jr., }

This communication had already been brought to the attention of the Standing Committee ; and, with their advice and consent, the President submitted the following Resolutions, which were unanimously adopted : —

Resolved, That the Massachusetts Historical Society accept with sincere gratitude the liberal and welcome contribution of two thousand dollars to the funds of the Society, which has been apportioned from the residuary estate of the late Miss Mary Prince Townsend by the Hon. William Minot, and William Minot, jun., the executors of the will.

Resolved, That the Treasurer be directed to make and keep a special entry in his account-books, of this contribution, as the donation of Miss Mary P. Townsend; so that the name of this estimable lady, while it is associated with so many other works of public and private beneficence, may have its deserved place also among the benefactors of our Society.

Resolved, That the President transmit a certified copy of these Resolutions to the Messrs. Minot, with an assurance that the donation has been not a little enhanced in value as coming to us through the hands and by the good-will of the son and grandson of one of the original founders of the Society, and one of the earliest of our Massachusetts historians.

Henry T. Parker, Esq., of London, was elected a Corresponding Member of this Society.

MR. LINCOLN (S.) communicated the following letter from W. W. Warren, Esq., accompanying, and presenting to the Society, a letter from Brigadier-General Oliver Prescott, dated Groton, July 28, 1778, addressed to Colonel Ezekiel Howe, Sudbury, together with a roster of a regiment, — probably that commanded by Colonel Howe: —

19, COURT STREET, BOSTON, May 24, 1861.

Hon. SOLOMON LINCOLN.

MY DEAR SIR, — I enclose herewith two papers, — one a letter from Brigadier-General Oliver Prescott, dated July 28, 1778, relating to a concentration of troops in Rhode Island, and addressed to Colonel Howe of Sudbury; the other a roster of (probably) the regiment commanded by Colonel Howe, giving names of field and commissioned officers (except the colonel), and specifying the number of privates, alarm-list, training-band, and of those in active service. These papers were found among a large number which have been for years locked up in a house in Sudbury, and were, a fortnight or so

ago, scattered among the attendants at an auction-sale of the effects of a descendant of Colonel Howe, at the house in Sudbury.

I desire that the papers enclosed, if sufficiently interesting, should be placed in the collection of the Massachusetts Historical Society; and I shall be greatly obliged to you if you will offer them for me to the Society.

Truly your obedient servant, W. W. WARREN.

GROTON, July 28, 1778.

SIR, — Whereas General Sullivan, by the express order of General Washington, is directed to make a sudden attack upon the enemy at Rhode Island, in conjunction with the French fleet there; and in consequence of a resolution of Congress, by virtue of the same order, has called upon this State to aid him with three thousand of the militia, to co-operate in the entire reduction of the British Army: under so bright a prospect of conquest, and putting a final period to a bloody war, and establishing the independence of America, and in consequence of an order of Council this moment received by express, you are hereby commanded to detach, from the regiment under your command, one captain, two subalterns, and sixty non-commissioned officers, and privates, to form a company, and march them to Tiverton, in the State of Rhode Island, by Thursday night next, if possible, to be under the command of General Sullivan six weeks from the time of their arrival, if not sooner discharged; and all officers and soldiers will consider themselves under every obligation to be speedy in completing and marching this detachment, and may depend upon an adequate reward for their services, at the next sitting of the General Court. This is the most important hour: you will therefore execute these orders with punctuality and despatch, and make return to me of your doings, by express or otherwise, without delay. You will order the whole of the militia under your command to hold themselves in readiness to march at a moment's warning.

I am your very humble servant,

OLIVER PRESCOTT, *Brigadier-General*.

Colonel HOWE.

Voted, That the thanks of the Society be presented to Mr. Warren for his acceptable gift.

Mr. DEANE offered remarks relating to the decease and historical attainments of J. F. Watson, Esq., of Philadelphia, a Corresponding Member of this Society, as follows:—

In the Annual Report of the Standing Committee which I had the honor to present at the last annual meeting of the Society, two months since, I stated that but two deaths had taken place among our Honorary or Corresponding Members during the year that had just closed. In this I find that I was mistaken. Another honored name should be added to that record: I refer to that of John Fanning Watson, Esq., of Philadelphia, who died on the 23d of last December, at the advanced age of eighty-one years. The decease of Mr. Watson did not receive the customary notice of the Society at the time of its occurrence, for the reason that his name does not appear upon the recent printed lists of its members; it having been, as is now ascertained, prematurely stricken from an earlier list: and it is only recently that the attention of the Society has been called to the fact of his membership, by an inquiry from one of his family. As this inadvertence occurred through me, I desire to make all the amends in my power for it. While preparing the lists of living members for a volume of our Collections published about five years since, I was told that Mr. Watson was deceased. I accordingly omitted the name in the newly printed lists; and, in all subsequent publications of the Society, it has never been restored. Mr. Watson was elected Oct. 26, 1831; and was therefore a member of this Society for nearly thirty years. I do not rise at this time—and, indeed, it would be quite out of place for me—to attempt any notice of Mr. Watson as a man or an historian, as my only acquaintance with him has been derived through his "*Annals of Philadelphia*," first published in 1830; and "*Annals of New York*," in 1846. These show him to have been a person of great historical and antiquarian taste

and research; and this Society appear not to have been unmindful of his claims to their consideration, as he was, the next year after the publication of one of these volumes, elected a member. But I am happy to refer members to an interesting Memoir of Mr. Watson, recently published, a copy of which has been sent to this Society. It was prepared at the request of the Pennsylvania Historical Society, and read before that body in February last by Benjamin Dorr, D.D., Rector of Christ's Church, Philadelphia. In writing this Memoir, Dr. Dorr had the assistance of some of the members of Mr. Watson's family, and particularly of Mrs. Whitman, his daughter, who has furnished many incidents illustrative of her father's patriotism, of his love of antiquarian pursuits, and of his habits, and method of study. His correspondence with distinguished men of our country was extensive. Concerning one of his letters, Mrs. Whitman remarks:—

I have before me a copy of his letter to the Hon. Edward Everett in 1825, urging him to preserve some such history of Boston as he himself was then preparing of Philadelphia. "My aim," he says, "has been to gather data which might serve for future exercise in poetry, painting, and works of the imagination. Two years since, I endeavored to prompt the New-York Historical Society to institute some such researches for their city. Dr. Hosack was commissioned to inform me that it was received with great cordiality, and that my principles of inquiry would be adopted for New York.

"First, Aim to give an intellectual picture of Boston and its inhabitants, customs, &c., as it stood at its settlement, and then at successive stages of thirty to fifty years. My scheme enables you to detail much of that which would not suit the gravity and dignity of common history. Indeed, I rather aim to notice just such incidents as that omits. I could aid you from a manuscript book of large size, never published, and written in Boston in 1740. I have also some notices from the journal of a British sailor, who visited you almost a century since. You will perceive that the mind which shall be qualified for such a pleasing task must possess such taste, enthusiasm, and energy, to execute his will, and express his feelings, as must prompt a poet to lay every thing under contribution to his art.

"He must seek out old people of all descriptions. He must not scruple to act without formal introduction. He must labor to bring back to the imagination things which none can any longer see. He must generate the ideal presence, and learn to commune with men and manners of other times. To prepare a suitable mind for effecting my object, he should seek out, and carefully run over, the oldest gazette, magazine, &c.: their local news will furnish many facts and valuable hints.

"Another source of local information will be found in consulting the earliest court-records, &c.; but more particularly, in the presentments of the grand juries of each court, you will get at the earliest condition of the place and people. I have had some curious experience myself; and to see your blue-laws exemplified, in some such cases, might afford considerable amusement to the present generation."

He also addressed a similar letter to William Rawle, Esq., President of the Pennsylvania Historical Society, and also to other historical societies of the country. I remarked that Mr. Watson was elected a member of this Society in October, 1831. His letter of acceptance, on file, was written Feb. 13, 1832. This is characteristic of the man; and, as it contains some matters of historical interest, I will take the liberty, in concluding these remarks, to read it to the Society.

GERMANTOWN, PA., Feb. 13, 1832.

SIR, — I have had the honor, lately, to have received from you the certificate of my being elected a Corresponding Member of the Massachusetts Historical Society. Should it ever be in my power to prove myself useful to the Society, I shall be gratified to avail myself of such an occasion to manifest my grateful sense of the unsolicited honor conferred.

I send herewith some few relics and tokens of olden time, which seem to come within the objects which your circular solicits; to wit: —

The Exploits of Sir William Wallace, by William the Rhymer (so said): curious as a print of about the year 1600.

Fly Almanac of year 1666; containing also a very neat manuscript of many pages, containing points of theology. The book was John Kipling's in 1666.

A box of relic-wood, formed of the last remaining walnut-tree of the primitive forest standing before the Hall of Independence at Philadelphia (*vide* page 350 of my *Annals of Philadelphia*); containing also, on the top, a piece of the beam of Columbus's house at St. Domingo, Penn's Treaty-tree, &c.

A manuscript pamphlet of Critical Annotations on Gilbert Wakefield's Works; by the Hon. Charles Thomson, Secretary of the Old Congress, author of the English Septuagint, &c. The *handwriting* of such a venerable patriot is a relic of itself.

I might appropriately take this occasion to tell you that there is a manuscript book of the History of New England, — done, in 1740, by Jos. Bennett, — once the property of the said C. Thomson, and now in possession of Jos. P. Norris, Esq., the President of the Pennsylvania Bank. None of it was ever published. I remember it was very circumstantial concerning the habits and manners of your Indians. Some of your members, when in Philadelphia, should solicit to inspect it. I think it seemed to *foresee* an American war; and, for that reason, was never published.

I will take this occasion to refer you to a long letter of mine of August, 1825, addressed to Edward Everett, Esq., suggesting *means* of acquiring knowledge of olden-time events in given localities of your country; and which letter, he informed me, was given to *you*, to be filed among your historical papers. Since then, I have published the "*Annals of Philadelphia*," to which it refers, as a specimen of olden-time reminiscences, &c.; a copy of which was presented to you by my friend R. Haines, Esq., of this place.

I might perhaps mention to you, as a *curiosity*, that I have in my possession a long letter of reminiscences by the late Dr. Holyoke, the centenarian, terminating with this conclusion: "I am this day a hundred years old!" His "life" refers to this letter.

In relation to *biography*, I might also mention, that I had, as early as the year 1818, strongly recommended to the late venerable John Adams to amuse himself with the curious and amusing events of his own times and life, &c. I will add some few of his striking remarks in return. In one letter he says, "To write upon such an extensive plan, you must give me a lease of another life of eighty-two years." Again: "My own life appears, upon retrospection, a dull, dreary, unfruitful waste. I should be ashamed to read it, though written by a Franklin or a Wirt." — "Of the interpositions of Providence in our favor, I have had abundant conviction and

experience; such as would not be believed upon my authority, if I should relate them." In another letter he says, "If you suppose that the British were influenced by 'any motives of conciliation,' you have been deceived. They never manifested any such motives, through the whole history of this country, for two hundred years. They even felt 'a most sovereign contempt for us'—as Puritans, Dissenters, schismatics, convicts, Redemptioners; as Irish, Scotch, Germans, and Dutch and Swedes—more than a century before they had a color or pretext to call us rebels."—"If the public sentiment or prejudice has not allowed such sentiments to have been mine, I have only to say, the public has never known my character or sentiments. I have been misrepresented and slandered much, chiefly from the pens of vagabond foreigners."

In my manuscript History of Philadelphia, I have preserved, as an episode, my idea of the origin of "Yankee Doodle." The inquiry seems appropriate also for *your Society*. A name and song so national should be now understood or never. I will very briefly extract the pith of my researches into its origin; to wit: An aged New-England lady told me she well remembered, before the Revolution, when the favorite air in her country was the dance of "Lydia Fisher." To this tune was sung any impromptu verses, to suit the wit and genius of the company. The song sung,—

" Lydia Locket lost her pocket;
 Lydia Fisher found it:
 Not a bit of money in it,—
 Only binding round it."

At that time, "Yankee Doodle" was not heard of in New England; but, in time, the British officers, in their supercilious pride and assumptions over the humble and simple colonists, constructed words to "Yankee Doodle," intended to slur us. Thus, at your town of Boston, at the rise of the Revolution, they set forth these words; to wit:—

" Yankee Doodle came to town
 For to buy a firelock:
 We will tar and feather him,
 And so we will John Hancock."

If the Yankees thus, for a period, bore the slur of such a name, in time it came their turn to triumph; which they did fully at the retreat from Lexington, playing all the way after the retreating Britons, "Yankee Doodle,"—as if to say, "Behold, masters, what

we simple yeomen can retort upon your vainglorious pride and boastings!" A few words more to explain the probable origin of the name itself. It is this: A correspondent at Washington City says he saw, in a private collection of ancient songs of England, done by his friend at Cheltenham, England, one written in ridicule of Cromwell, the Protector, named "*Nankee Doodle*," saying, —

"*Nankee Doodle* came to town
Upon a little pony,
With a feather in his hat
Upon a macaroni."

The music was attached, having the same time and bars, &c., as our "*Yankee Doodle*." When we consider that New England, in relation to their self-will, and independency of spirit, always called themselves "*Oliver Cromwell's Sons*," I think we have the cause of our song.

Yours respectfully,

JOHN F. WATSON.

Rev. A. HOLMES, Cor. Sec. of Mass. Hist. Society, Boston.

P.S. — I saw lately, in Boston papers, what I deemed false reasons for "thanksgiving days;" and I published a reply in "*Poulson*," in Philadelphia, to say it was always *originally* from *loyalty*, rejoicing on the 5th November, O.S., for the discovery of the *Gunpowder Plot*. Surely the most aged still in New England must still remember this as a cause of Thanksgiving Day. Such errors in facts are, I presume, worth correcting, even by me.

N.B. — "*Yankee*" probably came from the Indians, who pronounced "the English" the *Yengees*. J. F. W.

Voted, That Mr. Deane be requested to prepare a copy of his remarks for publication in the Proceedings of the Society; and that the President be desired to communicate to the family of Mr. Watson a suitable recognition of his death, and also of the gift of a "*Memoir*" of the deceased, this day presented by them to the Society's library.

Mr. EVERETT paid a tribute of respect to the memory of our late associate, Hon. Daniel Dewey Barnard of Albany, and spoke substantially as follows: —

MR. PRESIDENT, — If there are a few moments of time yet remaining before the adjournment, I should like to avail myself of them, to invite the members of the Historical Society, in conformity with our praiseworthy custom, to join me in a tribute of respect to the memory of our lately deceased Honorary associate, Mr. Daniel Dewey Barnard, who died at Albany on the 24th of April last, in the sixty-fourth year of his age. I would willingly have performed this office of friendship at the last meeting; but I was not able to be present. This I regret the less, as you have informed me, since I came into the room, that Mr. Barnard's decease was, at that meeting, made the subject of a communication from yourself, — feeling and appropriate, I am confident; for you knew him well, and prized him according to his worth.

No one, Mr. President, I am sure you will agree with me, could better deserve a respectful and affectionate notice from surviving associates and friends. Mr. Barnard was no common man. Eminent talent, assiduously cultivated and diligently employed, enabled him to fill, with honor to himself and advantage to the country, highly distinguished posts in the public service. He stood in the front rank of the profession of the law. His literary taste and extensive literary attainments qualified him to instruct and gratify the community, which he was always ready to do, on every appropriate occasion. His personal intercourse was most attractive, I had almost said fascinating; his temper and disposition, thoroughly amiable and kindly; his character and conduct, in all respects, exemplary; his life, throughout, that of a Christian gentleman. My intimate acquaintance with him, commencing in 1827, covers nearly the whole period of his public life; and it is one of the most pleasing incidents of my own, that it placed me in the relation of unbroken confidence, which existed between us to the last.

It is usual, on these occasions, to say something of the personal history of our deceased associates. Mr. Barnard's

father was employed, during the Revolutionary War, under Commissary-General Wadsworth, and lived at Hartford. His mother, from whom he derived the middle name of Dewey, was of that distinguished family in the western part of Massachusetts, where Mr. Barnard was born about 1798, during a temporary residence of his parents in Berkshire County. When he was ten or eleven years old, they removed to the western part of New York, where, in the county of Ontario, and in that part of it afterwards formed into the county of Monroe, his father acted as a magistrate and judge; and died in 1847, at the age of ninety.

Young Daniel enjoyed but slender advantages of education in his boyhood, owing to the want of good schools in the newly settled region. Much of his time, he was at work on his father's farm; but, being of a delicate constitution, he passed many hours in reading, and, young as he was, in boyish essays at composition. At the age of twelve, he was placed by his father in the office of the Clerk of the County at Canandaigua; and, by the time he was fourteen, he acted as Deputy-Clerk, — sometimes even officiating in that capacity in court. He was afterwards sent to a school at Lenox, in this State; and, after spending a year there, entered in 1815, a sophomore, at Williams College. As a scholar, he ranked among the first in his class, especially in polite literature; and, at his graduation, he delivered a poem. His reasoning powers, however, had been cultivated quite as much as that of the imagination, and formed, through life, the prominent trait of his intellect.

After a little time devoted to the restoration of his health, which had suffered from unremitted application to his books for four years, he began the study of the law; commenced the practice, in 1821, at Rochester; rose rapidly in the profession and in the public estimation; and in 1827, after having filled the office of County Attorney, was elected to Congress. It was then that my acquaintance with him, as a fellow-

boarder, began; and I was the near witness of the fidelity with which he gradually prepared himself for the discharge of the duties of a legislator. He spoke seldom, and always after careful study of the subject under discussion,—uniting close and often acute argument with great neatness and simplicity of style and manner, and always commanding the ear of the house. He was listened to with attention, because he never spoke without having something to say that was worth hearing. When he had said it, he knew how to stop.

Notwithstanding the demands upon his time as an eminent counsellor and a leading and active politician, he found leisure for the preparation of several carefully written addresses on academical and other public occasions. They are all to be found on our shelves. In 1839, he delivered a biographical discourse on the life and services of his distinguished friend and fellow-citizen, the late General Stephen van Rensselaer, which was accompanied with "An Historical Sketch of the Colony and Manor of Rensselaerwyck." It was after this publication, and probably in consequence of it, that he was elected an Honorary Member of our Society.

He was not a candidate for re-election; and, at the close of his term in Congress, he returned to the practice of his profession at Rochester. In 1830, he made a rapid visit to Europe; and, after he got back, recorded the result of his observations in a series of well-written letters, published in one of the journals at Rochester. In 1832, he removed to Albany, carrying with him an established reputation as a jurist and statesman; and prepared to take an active part in the politics of the day. In 1837, he was chosen to the Assembly of New York, and distinguished himself as one of its most useful and influential members. At the close of the session, his speeches and reports were collected in a volume of permanent interest and value. Among the reports, those on public instruction, on the use of the Bible in schools, and on banking, currency, and credit, may be read with advantage by all who take an interest in these subjects.

In the autumn of 1838, Mr. Barnard was again elected to Congress, and re-elected for the two succeeding terms. This period of six years covered the last half of Mr. Van Buren's administration, and the whole of Mr. Tyler's. During all this time, Mr. Barnard bore a very prominent part in the business of the House, conducted the discussion of many important subjects, and for four years filled the important place of Chairman of the Judiciary Committee. Among other highly important labors of this committee, he reported the Bankrupt Bill, which became a law.

Mr. Barnard continued in private life during Mr. Polk's administration, occupied with professional pursuits, and thoughtfully watching the progress of events. The "American Review," a well-conducted political and literary journal, was commenced in New York, in 1845, to sustain the principles which had ever guided Mr. Barnard's course as a public man. He became a regular and most efficient contributor to its pages. Desiring no concealment as to the authorship of the articles, in which he discussed the great topics of the day with uncompromising freedom, they were occasionally given to the public with his name; and they constituted, certainly, some of the most valuable portions of the contents of the journal.

In 1848, a revolution took place in our politics: General Taylor was chosen President; and Mr. Fillmore, Vice-President. On the accession of Mr. Fillmore to the presidency, the following year, Mr. Barnard was sent as envoy to Berlin. This appointment raised the Prussian Mission from the discreditable condition into which it had fallen, to the respectability which it possessed under Mr. Wheaton. Mr. Barnard, while he filled the place, represented his own Government with fidelity and zeal, while he commanded the esteem and good-will of that to which he was accredited. His travelling countrymen found him a ready and helpful protector and friend, and his diplomatic brethren respected him as an

honorable and intelligent colleague. He never failed in the performance of his duty; nor, what is quite as important in a foreign minister, stepped out of his sphere. He was welcomed in the best society of Berlin, — political and literary; and especially enjoyed a large share of the friendly regard of its great ornament and head, the late Baron von Humboldt. It was through Mr. Barnard's influence that the great philosopher consented to sit for his portrait to our young and skilful countryman, Wight, — a favor which he had refused to eminent European artists.

With the change of administration in 1853, Mr. Barnard returned home, and to the welcome quiet of private life. His health, always delicate, was now much impaired; and he withdrew almost entirely from laborious exertion, professional and political. One, however, of his ablest legal arguments was prepared the last year of his life. It is entitled "The Sovereignty of the States over their Navigable Waters." Though made in a case of local interest (the Albany-Bridge question), it discussed questions, as the title implies, of great delicacy and of national importance. However withdrawn from active participation in politics, Mr. Barnard's deep concern for the welfare of the country did not allow him to watch without much solicitude the progress of the great controversy which now convulses it. It was, however, for several months before his death, impossible for him to aid the cause of the Union, except by the fervent prayers of a patriot heart.

It will not, I hope, be considered an invasion of the sanctity of private life, if I add that Mr. Barnard was twice married, and that his character was adorned with all the virtues and graces which become the honored and beloved head of a well-ordered, happy, and Christian home. I should leave this imperfect sketch defective in its most important trait, if I failed to add, that he was a sincere and humble believer, an active and zealous member of the Protestant-Episcopal Church; and that, as his life had been governed by the prin-

ciples and spirit of our holy religion, his last hours were soothed and cheered by its consolations and hopes.

I beg leave, in conclusion, Mr. President, to submit the following Resolutions to the consideration of the Society:—

Resolved, That the members of the Massachusetts Historical Society are deeply sensible, that in the death of their late respected associate, the Honorable Daniel Dewey Barnard of Albany, they are called to lament the loss of a distinguished statesman and jurist, an accomplished scholar, and an enlightened patriot, whose unblemished life was steadily and earnestly devoted to the public service in posts of high trust at home and abroad, and to the performance of all the private duties of a good citizen; and that they are desirous of placing upon their records this cordial and well-deserved tribute to his memory.

Resolved, That the Corresponding Secretary of the Society be requested to communicate to the family of Mr. Barnard a certified copy of these Resolutions, with the assurance of the respectful sympathy of the Society in their bereavement.

These Resolutions were unanimously adopted.

JULY MEETING.

A stated monthly meeting was held this day, Thursday, July 11, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

In the absence of the Librarian, the Recording Secretary announced donations from the Essex Institute; the Hingham Agricultural Society; the Mercantile-Library Association of New York; Rev. Edward A. Bulkley; J. Smith Homans, Esq.; B. P. Johnson, Esq.; James Lenox, Esq.; Rev. Elias Nason; Rev.

Edwards A. Park, D.D. ; Usher Parsons, M.D. ; and from Messrs. Bartlet, Metcalf, Quint, Robbins (C.), Webb, and Winthrop, of the Society.

A small engraving of Amerigo Vespucci, from the original portrait, was presented to the cabinet as a gift from Mr. Edward Holden ; for which the thanks of the Society were voted to the donor.

A communication was received from William C. Wise, Esq., Committee on Books of the City Library of Lowell, expressing the wish of the directors of that institution to obtain the Catalogue of the Library of this Society, either by exchange or purchase. Referred to the Standing Committee.

Benson J. Lossing, Esq., was elected a Corresponding Member.

Mr. WEBB communicated the following remarks : —

At one of the meetings of the Massachusetts Cincinnati, the presiding officer, in the course of some remarks relative to the War of Independence, observed that the officers of that period may well be denominated "the unpaid."

The venerable clergyman who officiated on the occasion added, they might as aptly be designated "the unfed."

Most of us have unquestionably seen or heard ample testimony to prove that both officers and men may, with no less propriety and truthfulness, be characterized as *the unclad*.

Among some manuscript documents which I had the privilege of examining a year or two since, I found an original (and, as far as I could ascertain, an unpublished) letter, in which the destitute condition of the troops, and the sad consequences resulting therefrom, are set forth in such peculiarly expressive and emphatic language, that, thinking it might not be altogether uninteresting to the Society, I present the following transcript of it ; viz. : —

CAMP No. 2, Aug. 27, 1777.

GENTLEMEN, — Pure necessity urges me to trouble you this once more in behalf of the troops under my command.

You will easily recollect that I have repeated my solicitations before you, on the subject of their clothing, as far as was decent. I did indeed expect, when I came from home, to find my men poorly habited; nor was I disappointed. Their dress even exceeded for badness what I had imagined to myself. Not one-half of them can now be termed fit for duty, on any emergency.

Of those who of them went with me on a late expedition near to King's Bridge, many were barefoot; in consequence of which, it is probable they won't be fit for duty again for many weeks. Five of them there deserted to the enemy, which I have reason to believe was principally owing to the non-fulfilment of engagements on the part of the State; and what may be expected better than this, that more will follow their example, while they daily experience that public faith is not to be depended on?

In fine, the regiment is scandalous in its appearance, in the view of every one; and has, because of this, incurred from surrounding regiments, and from the inhabitants of towns through which they have lately passed, the disagreeable and provoking epithets of the ragged, lousy, naked regiment. Such treatment, gentlemen, is discouraging, dispiriting in its tendency. It does effectually unman the men, and renders them almost useless in the army.

I am sorry to have occasion to continue my complaints in their behalf; but as I look upon it a matter, not of impertinence, but of *importance*, I cannot refrain, in justice to them. I pray, gentlemen, you would as speedily as possible inform me of the result of your deliberations on the matter, and let me know whether they are likely very soon to have relief.

If this is not the case, I shall look upon myself in honor bound to make my application somewhere else.

I am, gentlemen, with all due respect,

Your honors' humble servant,

ISRAEL ANGELL, *Colonel*.

His Honor the Governor in Council, State of Rhode Island.

Arnold, in his admirable "History of Rhode Island," alluding to the deplorable condition and sad appearance of these troops, then in the Continental service, observes: —

"This was a strong contrast to the Rhode-Island army of observation, near Boston, two years before, which was represented as the only perfectly appointed force in that motley field."*

He adds, giving another instance of the extreme destitution prevailing at the time to which we refer:—

"A mutiny broke out in Colonel Greene's battalion [then at Fort Montgomery], of whom General Varnum, who was called on to suppress it, writes: 'The naked situation of the troops, when observed parading for duty, is sufficient to extort the tears of compassion from every human being. There are not two in five who have a shoe, stocking, or so much as breeches, to render them decent.'"—*Arnold*, ii. 405, 406.

To the honor of Colonel Angell and his command, it should never be forgotten, that their lamentably pitiable condition did not chill their military ardor, nor destroy their efficiency, as was evinced by the good service rendered at Brandywine in less than a month after the date of the letter I have read, and their glorious conduct in the "brilliant action" at Red Bank in less than another month.

Nor was this the last heard of them; for, in 1780, it devolved on them, in a small but bloody action fought at Springfield, N. J., to defend the pass of a narrow bridge against fearful odds. Though but one hundred and seventy strong, they for forty minutes held in check fifteen hundred of the enemy, sustaining the whole shock of this overwhelm-

* Rev. William Emerson, a chaplain in the army (in a letter; for which see Sparks's "Washington," iii. 491, 492), describing the appearance of the camp at Cambridge, a few days after the arrival of the Commander-in-chief, says: "It is very diverting to walk among the camps. They are as different in their form as the owners are in their dress; and every tent is a portraiture of the temper and taste of the persons who encamp in it. Some are made of boards, and some of sailcloth; some partly of one, and partly of the other. Again: others are made of stone and turf, brick or brush. Some are thrown up in a hurry; others curiously wrought with doors and windows, done with wreaths and withes in the manner of a basket. Some are your proper tents and marquees, looking like the regular camp of the enemy: in these are the Rhode-Islanders, who are furnished with tent-equipage, and every thing in the most exact English style."

ing force, until superior numbers overcame obstinate bravery, and compelled our troops to retire. For their noble bearing and undaunted courage, they were highly complimented by Washington, who remarked, "The gallant behavior of Colonel Angell's [regiment] on the 23d inst. [June], at Springfield, reflects the highest honor upon the officers and men. They disputed an important pass with so obstinate a bravery, that they lost upwards of forty, in killed, wounded, and missing [nearly one-fourth of their number], before they gave up their ground to a vast superiority of force." — *Arnold*, ii. 459.

I trust it will not be deemed out of place in this connection, and in conclusion, to say, that the spirit which animated the Rhode-Islanders of those times has not yet died out. The alacrity and promptitude with which the country's call was recently answered evinces that the present actors are no "degenerate sons of noble sires;" and, though the present Chief Magistrate's *desire* to arm and equip them may have been no greater than that of his Revolutionary predecessor, the princely means at his disposal enabled him to do this in the most efficient and perfect manner.

A Massachusetts writer now at Washington, in alluding to these troops, says (under date of April 26): "'Three cheers for Rhode Island!' rang along the Avenue to-day, as the quota of that gallant State marched proudly along, the first battalion escorting the second, which had just been landed. Cheers were also given for the Continental color, carried by the second battalion; and for the ladies who marched bravely with the file-closers of two companies, evidently determined to rival Florence Nightingale. A baggage-train brought up the rear; and *Rhode Island has the honor of bringing the only completely uniformed, armed, equipped, and provisioned quota here.*"

Another correspondent writes: "Rhode Island's praises are everywhere heard. The noble battalions were highly

complimented as they moved past with firm step, well officered, and supplied with every requisite for a successful campaign."

A third, under date of June 13, observes: "This is the finest and best provided body of men in the field. When the officer by whom they were sworn in made inquiry of Governor Sprague, 'What requisitions have you to make for their comfort and support?' he answered, 'We ask nothing from the Government.'"

After an animated conversation regarding the desirableness of preserving a record of the great Rebellion which is now in progress in the United States, it was *voted*, That a Committee be appointed to collect and preserve for the archives of the Society such materials for a future history of the Rebellion as they may deem to be authentic and most valuable.

The President nominated as members of the Committee, Messrs. R. Frothingham, Webb, and Palmer.

AUGUST MEETING.

A stated monthly meeting of the Society was held this day, Thursday, Aug. 8, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

The Librarian announced donations from the Astor Library, New York; the Bunker-Hill-Monument Association; the Congregational Board of Publication; Yale College; Rev. Alexander Blaikie; F. A. Brock, Esq.; B. P. Johnson, Esq.; and from Messrs. Bigelow, Livermore, and Winthrop, of the Society.

The President announced the death of the Hon. Nathan Appleton, a Resident Member of the Society, as follows:—

We have been called on so often of late, gentlemen, to notice the departure of those whose names have adorned our Honorary or our Resident rolls, that the language of eulogy may seem to have been almost exhausted. Yet I am sure you would not excuse me, nor could I excuse myself, were I to fail to make some brief allusion this morning to a valued and venerable associate, who died only a day or two after our last monthly meeting.

Lowell, the revered pastor; Shaw, the illustrious jurist; White, the accomplished counsellor and scholar; Bowditch, the faithful conveyancer and genial humorist, whose diligence has illustrated so many title-deeds, and whose wit has illuminated so many title-names;—all these and more have received, in sad succession, our farewell tributes within a few months past. The wise, upright, and eminent merchant presents no inferior claim to our respectful remembrance, nor will his name be associated with less distinguished or less valuable services to the community.

Not many men, indeed, have exercised a more important influence among us, during the last half-century, than the late Hon. Nathan Appleton. Not many men have done more than he has done, in promoting the interests, and sustaining the institutions, to which New England has owed so much of its prosperity and welfare. No man has done more, by example and by precept, to elevate the standard of mercantile character, and to exhibit the pursuits of commerce in proud association with the highest integrity, liberality, and ability.

The merchants of Boston have already recognized his peculiar claims to their respect, and have paid him a tribute not more honorable to him than to themselves. But he was more

than a merchant. As a clear and vigorous writer on financial and commercial questions; as a successful expounder of some of the mysteries of political economy; as a wise and prudent counsellor in the public affairs of the country, as well as in the practical concerns of private life; as a liberal friend to the institutions of religion, education, and charity; as a public-spirited, Christian citizen, of inflexible integrity and independence, — he has earned a reputation quite apart from the enterprise and success of his commercial career.

Few of those whose names, for thirty years past, have been inscribed with his own on the rolls of our Society, have taken a more active and intelligent interest in our pursuits. Few have been more regular in their attendance at our meetings, or more liberal in their contributions to our means.

Tracing back his descent to an early emigrant from the county of Suffolk in England, where his family had been settled for more than two centuries before, he was strongly attracted towards our Colonial history, and was eager to co-operate in whatever could worthily illustrate the Pilgrim or the Puritan character. He was a living illustration of some of the best elements of both.

This is not the occasion for entering into the details of his life and services; but, should the Society concur with the Standing Committee in the Resolutions which they have instructed me to submit, there may be an opportunity of pursuing the subject more deliberately hereafter. Let me only add, before offering them, that, on many accounts, I should have been disposed to shrink from the responsibility which they impose on me, had not our lamented friend so far honored me with his confidence as to express the wish, that I would undertake any little Memoir of him which might be customary in our collections, — accompanying the expression with some sketches of his life, which will form the largest and best part of whatever I may be able to prepare.

Mr. WINTHROP then offered the following Resolutions:—

Resolved, That, in the death of the Hon. NATHAN APPLETON, our Society has lost a valued member, a liberal friend, and one whose enterprise and integrity as a merchant, whose ability and accomplishments as a writer, and whose distinguished services as a public man, have rendered his name an ornament to our rolls.

Resolved, That the President be requested to prepare the customary Memoir for our next volume of Proceedings.

The Resolutions, having been seconded by Dr. BLAGDEN in a few remarks, were unanimously adopted.

Mr. R. FROTHINGHAM, from the Committee appointed at the last meeting to preserve for the archives of the Society such materials, for a future history of the Rebellion now in progress in the United States, as they may deem most authentic and valuable, submitted a report, which he subsequently withdrew; and, after some debate, it was *voted*, That the sum of a hundred dollars be placed at the disposal of the Committee, for the furtherance of the object of their appointment.

Messrs. Livermore, H. Gray, jun., Deane, and Whitney, were added to the Committee.

The President called the attention of the Society to a printed leaf, containing an account of the last annual meeting of the Royal Society of Northern Antiquaries, of Copenhagen, held on the 27th of May; and read from it the following extract:—

Mr. Niels Arnzen, of Fall River, in the county of Bristol, and State of Massachusetts, had transmitted to the society a "warranty deed," by which, "in consideration of his esteem for the editor of the 'Antiquitates Americane,' and the author of the 'Memoir of the Discovery of America by the Northmen' (Professor C. C. Rafn),

and the Royal Society of Antiquaries at Copenhagen, in Denmark, he does give, grant, and convey unto the said Professor and Royal Society the rock known as the 'Writing' or 'Dighton Rock,' and the lot, or parcel of land, surrounding it, and situated in the town of Berkley, in said county of Bristol;" its limits being stated in detail in said deed. The society charged its council with expressing to the donor its thanks for the gift, as also with taking proper measures to see the monument duly fenced and preserved.

SEPTEMBER MEETING.

A stated monthly meeting was held this day, Thursday, Sept. 12, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the American Philosophical Society; the Boston City-Missionary Society; the Essex Institute; Rev. Caleb D. Bradlee; Rev. S. Hopkins Emery; B. P. Johnson, Esq.; Henry Stevens, Esq.; and from Messrs. Deane, Green, Robbins (C.), and Webb, of the Society.

In the absence of the Corresponding Secretary, a note was communicated from him, stating the fact that Mr. Benson J. Lossing accepted his election as Corresponding Member.

MR. R. FROTHINGHAM, from the Committee on procuring Memorials of the Rebellion, reported that the Committee had organized a plan, and prepared a circular to be sent to all the members of the Society and to other persons likely to respond.

The President announced the death of Sir F. Palgrave, a Corresponding Member of the Society; and read the following obituary notice from the "Illustrated London News," July 27, 1861:—

Sir Francis Palgrave, a learned historian and archæologist, who died on the 6th instant, at his house, the Green, Hampstead, was the son of M. Cohen, Esq.; and was born in London, 1788. He was called to the bar, by the Honorable Society of the Inner Temple, the 9th of February, 1827; and was one of the Municipal Corporation Commissioners. In 1832, he was created a Knight of the Royal Hanoverian Guelphic Order, to mark the benefit his labors had rendered to Constitutional and Parliamentary literature. He was also made a Knight Bachelor in 1852, and was appointed Deputy-keeper of the Public Records. Sir Francis—who assumed the name of Palgrave in lieu of that of Cohen—was the author of an able history of Normandy and England, and of several other literary and archæological works. He married, in 1823, Elizabeth, daughter of Dawson Turner, Esq., F.R.S.; by whom, who died in 1852, he leaves issue.

Dr. HEDGE presented to the Society a manuscript copy of Stephen Sewall's funeral oration on the death of President Holyoke of Harvard College, in 1709; a manuscript copy of Dr. Holyoke's answer to George Whitefield; and a copy, of the edition of 1692, of the "College Laws," written by President Holyoke on entering college in 1701, and signed by President Mather.

Dr. Hedge pointed out the differences between these laws and the earlier ones of 1642 and 1646, especially in the ecclesiastical character of the new laws, and the addition of financial and economical rules.

Rev. Prof. Edwards A. Park, D.D., was elected a Resident Member.

OCTOBER MEETING.

The Society held a stated monthly meeting this day, Thursday, Oct. 10; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the Commonwealth of Massachusetts; the American Tract Society, New York; the Trustees of the Public Library, Boston; John Appleton, M.D.; Hon. Lucius M. Boltwood; A. T. Coggeshall, Esq.; Mr. Edward Holden; George Homer, Esq.; Mr. H. H. Hurlbut; Deacon Edwin Lamson; Rev. Abner Morse; Rev. Elias Nason; the Publishers of "Harpers' Weekly;" the Publishers of the "New-York Illustrated News;" J. Horace Stevens, Esq.; J. Hammond Trumbull, Esq.; Mr. Charles K. Whipple; and from Messrs. Everett, Green, Quint, Robbins (C.), Sibley, Webb, and Winthrop, of the Society.

In the absence of the Corresponding Secretary, the Recording Secretary communicated a letter from George H. Moore, Esq., Librarian of the New-York Historical Society, requesting permission to make transcripts of several letters contained in the twenty-second volume of the "Trumbull Papers," in the Society's archives. Whereupon it was *voted*, That the request of Mr. Moore be referred to the Standing Committee, with full powers.

The President read a letter from Messrs. Harper and Brothers, publishers, accompanying a file of "Harpers' Weekly;" for which acceptable donation, the thanks of

the Society were voted to Messrs. Harper and Brothers.

A letter was also read by the President from Joseph Annin, Esq., of Jersey City, enclosing a large number of pictorial envelopes illustrating the Rebellion. *Voted*, That the thanks of the Society be communicated by the President to Mr. Annin.

The President read the following communication from Rev. William Barry, Secretary of the Chicago Historical Society, announcing the recovery, and possession by that institution, of what is believed to be the original narrative of the expedition to Quebec, *viâ* the Penobscot River, in 1710. Referred to Mr. Deane.

HISTORICAL SOCIETY'S ROOMS,
CHICAGO, Oct. 7, 1861.

To the Hon. R. C. WINTHROP, LL.D.,
Pres. of the Mass. Hist. Society.

SIR, — Will you kindly permit me to communicate through you, to the Massachusetts Historical Society, the announcement, which, it is thought, may interest that Society, of the recovery and possession, by this association, of what is believed to be the original narrative of the expedition to Quebec, *viâ* the Penobscot River, ordered by General Nicholson, immediately after the reduction of Port Royal, in 1710, and executed by Major Livingston, accompanied by the younger Baron de St. Castin?

The journal of Livingston is referred to by Hutchinson (ed. 1795, vol. ii. pp. 167, 168), who, in a note (p. 168), relates that the journal was in his possession while preparing his history; and adds particular incidents, with dates, corresponding so exactly with the manuscript in our hands, as to leave no doubt of the identity of the paper. The sole discrepancy in the two is in the date assigned by Hutchinson for the arrival at Quebec of the expedition, which is the "16th" of December, the manuscript having the "6th;" an error into which a cursory reader would easily fall, as an examination of the paper shows, — the figure "6" being preceded by two dots resembling a colon.

The expedition of Major Livingston was designed, as Hutchinson informs us, to convey "letters to M. Vaudreuil, acquainting him that the country of Acadie was subdued, and that all the inhabitants, except such as were within cannon-shot of the fort, were prisoners at discretion; and as the council had been informed that he had often sent out his barbarous Indians to murder the poor innocent women and children upon the frontiers of New England, if he continued that practice, they would cause the same execution upon the people of Acadia, or Nova Scotia, now absolutely in their power; but they abhorred such barbarities, and hoped he would give them no further occasion to copy after him, but would rather release and send home such prisoners as had been taken by the Indians" (p. 168).

There was a propriety in the selection of Major Livingston for this commission, he having previously been sent to Canada (p. 141) with William Dudley and others, in 1706, to treat for an exchange of prisoners: in which he was so far successful as to secure the release of "Mr. Williams, the minister, and many of the inhabitants of Deerfield, with other captives;" the unfortunate captives from Deerfield having already been in Canada from 1703,—the date of the destruction of that town.

The association of the Baron de St. Castin with Major Livingston was undoubtedly a provision for the better security of the latter in a long and dreary march through the wilderness, where his life might be endangered by its savage and hostile inhabitants. The baron was himself of Abenaki parentage, his father having married a Tarra-tine squaw; and both father and son possessed great influence over the race with which they had connected their blood.

The details of the original narrative are partially given, so far as of material importance, in the summary of Hutchinson, in his note; but more fully by Penhallow, in his "History of the Indian Wars" (N.H. Hist. Coll., vol. i. pp. 67, 68); as also by Judge Williamson, in his "History of Maine" (vol. ii. pp. 60, 61). Williamson, however, acknowledges as his authority the history of Penhallow. From the greater particularity of Penhallow's account of the expedition, it may be inferred that he had earlier access than Hutchinson to the journal of Livingston, or derived his information from personal communication with parties engaged in the expedition. Penhallow's original history was printed in 1726,—the same year in which he died.

The original narrative is now chiefly interesting as disclosing in

full the sufferings and hardships borne by the brave adventurers who conducted the expedition, at a season of the year most unpropitious for such a journey through pathless wilds, — for it started on the 15th of October, and the arrival at Quebec occurred on the 6th of December, — and for the information it affords of the topography of a country then rarely penetrated, except by the hunter or trapper. A single incident is worthy of particular notice, as overlooked by the historians above named: namely, the attempt of Major Livingston to recover from captivity the remaining daughter of the minister of Deerfield, — Eunice Williams; in which his earnest intercessions with Governor Vaudreuil proved abortive. She, it is well known, remained in Canada, becoming the wife of a Canadian Indian, and the progenitor of a numerous stock, not a few of which, it is believed, have experienced the charitable consideration of kindred and friends in this country. The late Rev. Eleazer Williams, once missionary at Green Bay in Wisconsin, and noted as the pretended “dauphin” of France, who deceased about two years since, was a descendant of the captive daughter of the pastor at Deerfield, and received, it is understood, his education through the generous assistance of friends in New England.

As an explanation of the manner in which the manuscript in question came into this society's possession, it may be proper to state that it was had through the attention of Mr. Gilbert Saltonstall Hubbard, an early and esteemed resident and merchant of Chicago, in early life connected for some years with the service of the American Fur Company, in the North-west. Mr. Hubbard is a lineal descendant of Governor Gurdon Saltonstall of Connecticut, whose name he bears; as also of John Hamlin, whose son, Colonel Jabez Hamlin, distinguished himself in the French War of 1755. On submitting the manuscript to the society's acceptance, Mr. Hubbard was under the impression that it had descended to his family from John Hamlin, whose personal acts it related: a suggestion which, after abundant research, the undersigned was unable to verify. In the progress of the inquiry thus instigated, the true authorship of the paper was ascertained beyond doubt by the aid of the brief but pertinent note of Hutchinson.

A historical incident, happily preserved in the admirable collection of Colonial documents printed by the State of New York, very naturally suggests the medium of transmission by which the paper reached the hands of Mr. Hubbard.

In the fifth volume of the New-York "Collections" (p. 257, *et seq.*) is given an account of the proceedings of a Congress of the Governors of New England and New York, which was held at New London, in Connecticut, June 21, 1711, a few months after the return of Major Livingston from his expedition to Canada.

At this Congress, Governor Saltonstall was present; and the following memorandum is a part of the record:—

"Major Livingston attended the Board, with his commission as major, and commander of a scout, drawn out of the forces by the commander-in-chief of the expedition late to the Port Royal, *and his journal in that service.*

"The council were of opinion that the office and service was very necessary: and Governor Hunter was desired to give him commission accordingly, and a letter to the general of the forces, recommending him in the name of the Board; and that he forthwith attend the general, with a copy of this journal and other observations, and be at his directions where to serve, either in the expedition to Quebec, or with the land-forces by the way of Albany."

Major Livingston was a resident of New London, where the Congress above noticed was held; at which, too, Governor Saltonstall was present. It is easily explained from these facts, that the Livingston Journal should naturally fall into the hands of the ancestor of Mr. Hubbard; to whom it has descended, by regular transmission, through the intervening generations.

It may be added, that the manuscript affords evidence of the care with which it has been guarded by the trusty hands which have had it in keeping.

Notwithstanding the peculiarity of some of its characters, it is read with ease, and, with but few exceptions, with no room to doubt the sense. Unfortunately, some portion has been lost from the close; the narrative terminating on Thursday, Feb. 2, when the party, on their return, were on the "west side of Albany River." Penhallow dates their arrival at Albany on the 23d of February.

Of the life, character, and services of Major Livingston, it may be added, very briefly, that he seems to have been held in esteem as a brave officer. In the attack on Port Royal, according to Penhallow (p. 64), the army at the assault was flanked in their march by "Major Livingston, with a party of Indians." Hutchinson commends his expedition to Canada, in characterizing it, notwithstanding

its small and unsatisfactory issue, as a "most fatiguing and harassing journey." The expedition was deemed of sufficient importance to be noticed officially by M. Vaudreuil, in a communication to the French Government; his letter to M. de Pontchartrain being preserved in the New-York Colonial Documents (vol. ix. pp. 853, &c.).

It is presumed that Major Livingston was the same who married, for his first wife, Mary, daughter and only child of the second Gov. Winthrop of Connecticut, usually designated as *Fitz-John* Winthrop; * and that, as Col. John Livingston, he had deceased before 1735.

Of the Baron de St. Castin, mention is made by M. Vaudreuil, in the letter to his government before noticed; the governor having despatched him "immediately back" for the "management" of the "Indian allies" of the French, over whom he represents St. Castin as possessing "great influence." Not long after, he returned to France to assume his hereditary honors and estate; and died there.

In submitting this statement to your obliging care, in behalf of the Society over which you preside, I beg to add, that the above has been written upon the presumption, that the journal referred to has never yet been published *in extenso*: a presumption which better means of information than the comparatively limited ones in my possession may prove unfounded.

Permit me to state, in closing, that the peculiar erasures and corrections in the manuscript I have described indicate that it is the original, and not a copy, unless a copy from the hand of the original writer.

I have the honor to be, with the highest respect and esteem, sir,

Your obedient servant,

WILLIAM BARRY, *Secretary, &c.*

The following communication was received from Hon. Josiah Quincy, transmitting to the Society, on behalf of Mrs. Balmanno, a curious volume privately printed at the expense of her late husband, Robert Balmanno, Esq.; and, in accordance with his intention, now presented to the Society's library:—

* Mary Winthrop, only child of Governor (Fitz) John, was married to John Livingston, son of Madam Alida Livingston of Albany, in April, 1701.

Hon. R. C. WINTHROP.

DEAR SIR,—I have the pleasure to transmit to you herewith, at the request of Mrs. Balmanno, a curious volume for the library of the Historical Society. Mrs. Balmanno is the widow of Robert Balmanno, Esq., who requested her to send a copy of it to your library. It is a letter from the nobility of Scotland, praying the Pope John, in 1320, to protect them against the English, and declaring their adhesion to Robert Bruce; and contains also an account of the discovery of the grave of that monarch in 1818,—the work having been privately printed by Mr. Balmanno. This gentleman was of an ancient Scotch family who had resided many years in Brooklyn, N.Y.; who, in retirement, was distinguished for his love of art and literature and for his cultivated taste, beloved and highly appreciated by a large circle of literary friends both in New York and Europe.

Respectfully, I am, &c., yours,

JOSIAH QUINCY.

QUINCY, 27th September, 1861.

Resolved, That the thanks of the Massachusetts Historical Society be communicated to Madam Balmanno for the rare and beautiful volume which, at the request of her late husband, Robert Balmanno, Esq., has this day been presented to the library of the Society.

A communication was received from L. M. Sargent, Esq., presenting a portrait of Governor Thomas Pownall,* which he had caused to be painted for the Society's gallery.

* "Thomas Pownall, M.P. for Tregony, and Secretary to the Board of Trade. He had been successively Lieutenant-Governor of New Jersey, Governor of Massachusetts Bay, and Governor of South Carolina; and was afterwards appointed director-general, or comptroller, with the rank of colonel, in the army in Germany, from which he retired in 1763. He was a man of profound experience and learning, both as a

Voted, That the thanks of the Society be presented to our esteemed associate, Mr. Sargent, for his considerate generosity in presenting to its gallery of historical paintings a valuable and beautiful portrait of Governor Pownall. The letter of Mr. Sargent was accompanied by an account of the portrait, from which the following extracts are made : —

This interesting portrait is from the skilful and careful pencil of Mr. Henry C. Pratt, the well-known and accomplished artist of this city. It is a faithful image of that fine old English gentleman whose memory is entitled to be cherished by us all. It is faithfully copied from a very fine old mezzotinto engraving of Governor Pownall, in the possession of Mr. Drake, author of the "History of Boston." This engraving is by Earlom; of whom Walpole says, in his anecdotes of painting, "Mac Ardell and Richard Earlom were most capital engravers." The engraving bears date June, 1777; and is from a portrait by the celebrated Francis Cotes, of whom Walpole speaks with great respect; adding in a foot-note, "Cotes was, according to Hogarth, a better portrait-painter than Reynolds." Thus much to encourage the faith of the beholder, that he has before him a fair representation of Thomas Pownall. He could not have been more than eight and forty, and was probably somewhat younger, when this portrait was taken; for, according to Walpole, Francis Cotes died in 1770. The engraving was executed seven years after the painter's death.

He came to Boston, as Governor of Massachusetts, in August, 1756. His administration, which was very popular, was also very brief, as Bernard was appointed to succeed him in 1760. Mr. Pownall then succeeded Bernard, in New Jersey, as Lieutenant-Governor. He was afterwards appointed Governor of South Carolina, but was soon recalled at his own request; possibly discovering, what has been more clearly demonstrated in these latter days, that the people

politician and an antiquary. He was the author of the 'Administration of the Colonies;' and wrote many pamphlets, chiefly on subjects of antiquarian interest. A list of his works is given in the 'Gentleman's Magazine,' vol. lxxv. p. 288. He died in 1805, at the age of eighty-five." — *Grenville Correspondence*, vol. ix. pp. 312, 313, note.

were ungovernable there. In 1768, he became a member of Parliament, and an able and strenuous advocate for the Colonies. He was the author of several works, — a letter to Adam Smith, on his work upon the “Wealth of Nations;” a work on the “Study of Antiquities;” a description of North America, &c.

In this connection, the President stated that the late Thomas Ritchie, of Virginia, had collected materials for a life of Pownall, which might hereafter be forthcoming. He also communicated the following correspondence, from among his family papers, between Governor Bowdoin and Governor Pownall. The letters of the latter are from originals; those of Bowdoin, from his own rough draughts.

ALBEMARLE STREET, LONDON, Feb. 3, 1769.

DEAR SIR, — Since my last to the gentlemen of the Kennebec Company, Dec. 10, 1768, Jan. 10, 1769, Mr. Goostre sent me your case. Although it was in the midst of the hurry of this session, yet my desire to testify my readiness to serve any of my old friends of the Province made me look into it with every attention of my best judgment. Since that, I have given him an explanation of the points on which your cause best rests, as also of the weakness of the cause, *à contra*; which I fancy he will find, and use as leading points for his brief. But there is one point which I must suppose you gentlemen have considered, and which yet, I apprehend, will be attended in the upshot with inexplicable difficulty and infinite expense, and which may lead some of you into a process contrary to your charter-rights, and contrary to what many of you would wish to be engaged in. 'Tis this: According to the British Constitution, we know of no appeal to the King in Council: all appeals are to Chancery or the House of Lords. It is by the compact only of the charter that these appeals to the King in Council are established. They can, therefore, exist only in those specially stipulated cases defined in the charter. Is yours one of those cases? If not, will not your company get engaged in a cause against your charter? This is worth considering.

I am sorry to find that Government here, instead of applying healing remedies to the general eruptive case of the Colonies, think of nothing, nor will suffer P——t to think of any thing, except the

particular case of Boston, and that only stated as they please to state it.

On this particular I am conscious and am satisfied that I have endeavored to do my duty to the Province and town; but this I had rather you should hear from others than myself.

This day is to decide Mr. Wilkes's fate as to Parliament. He is surely a bad man; but that is not the reason of the prosecution of him, and the degree of it may establish modes that may in future become precedents against good men. As I can neither with a good conscience defend the one, nor with a safe conscience approve the other, I take that liberty (which independency alone can give) of taking no part in this business; so do not attend it: which gives me this hour's leisure to write to you.

I have taken great pains with ministry to explain to them (as far as they will permit a man to explain to them who does not belong to them) the wisdom, and even necessity, of returning to the old ground of distinguishing port-duties, *i.e.* external taxes from internal, and of laying those external only as has been practised ever since the first establishment of the Colonies, and of making no innovation in the old practice, at the same time abstaining entirely from internal. They seem to fall in with my idea. They adopt the sentiments, and say they would have fallen into this channel even now, were it not for the declarations and riots and tumults set up in opposition to acts of Parliament; that, when this opposition is withdrawn, they will, upon commercial and political grounds, repeal the late revenue-laws, and fall into the old track on the old ground. So that all the mischief which may happen in the mean while, even a Disunion, if that should happen, is to depend upon a mere point of honor.

I have some thoughts of trying one measure yet before I give up all; which is, to draw up a petition such, and in such form, as they will here receive on this ground, at the same time such as, from what I know of the sentiments of the people of the Province, the Council and House might agree to send to the King, Lords and Commons in Parliament assembled, to understand beforehand that Government here will receive it, and then to send it over to be considered by the people of the Province.

This may save all from destruction; into which, things seem to be running. God forbid it!

I am, sir, your most obedient, humble servant,

T. POWNALL.

The Hon. JAMES BOWDOIN, Esq.

BOSTON, Jan. 2, 1771.

The Hon. Governor POWNALL.

DEAR SIR, — I send you herewith the proceedings of Council relative to Secretary Oliver's deposition, which my son will have the honor of delivering to you. His visiting England is earlier than I intended; but it was judged necessary, on account of his health. He goes in company with his uncle, Mr. Stewart. I beg leave to recommend them to your friendship. My last was on the 3d December, per Hood; before which, I had wrote you by Lyde Scott Calef and Bryant.

We are just told that Mr. Rigby, on the second day of the session, was to move in the House of Commons for a bill to vacate our charter.

I am most respectfully, dear sir,

Your most obedient and very humble servant,

JAMES BOWDOIN.

LONDON, April 5, 1772.

DEAR SIR, — In looking over my list of letters, I feel a blank in not finding one from my friend Mr. Bowdoin; not one answer to the several I wrote him. I will be unhappy and not complain, nor do him the injustice to impute it to any positive cause. It must be something negative, — some absence, some illness, some avocation, — any thing but neglect of or the forgetting his affection to one who alway did and does esteem him. My letters refer me to some particular answers, which I own was in hopes to have received. I waited for these; but that was not the reason that I did not write by young Mr. Bowdoin when he went to Boston. I really was not apprised of the time of his departure.

I sit down now to write, not that I have any thing particular to say, but solely to keep the *chain bright*, and to make it fast. I wish to inquire after your health, and to hear from you. I hope your son will be arrived safe, and be fixed happy amongst his friends.

I have heard of an idea of the Kennebec's Company, and other proprietors to the Eastward, thinking of a separate Government. Is there any such idea? What is it?

Has the General Court done any thing farther in their inquiry about the state of the naval timber in New England?

What is your plan about an agent? You ought to have a real effectual one. You ought to settle this amongst yourselves on some

compromise that may give you a proper and real representation here in England. It is a necessary *guard and defence* that you should stand represented in some mode that is real. If your affairs had been planned in the Province for action here in England, as they might have been and should have been, your civil powers could not, at this day, have lain superseded by an actual military power. The supreme military power cannot, by the nature and essence of the British Constitution, be separated from the supreme civil magistrate. Whenever it is, as Government follows *power*, that Government must be military, whatever the *authority* of the civil may in theory be supposed to be. This, every day, will grow more and more serious ; and acquiescence is the thief of right (*sat sapienti dictum*). There are no modes of opposing, but those that are constitutional. Pray, give my best, my most sincere regards to all my old friends ; and believe me to be,

Dear sir, yours most affectionately,

T. POWNALL.

The Hon. JAMES BOWDOIN, Esq.

LONDON, ALBEMARLE STREET, April 19, 1778.

DEAR SIR, — In hopes that succeeding events may call back the different branches of the same nation and family, now separated in all political connection, to fraternal amity, or at least to such *family compact*, that individuals who were old friends, and who, in their individual capacity, never felt their friendship broken, though necessarily interrupted, may again recommence that intercourse of their friendships which mutual good offices and habits had cemented, I write this to you, to beg you to be assured, that the moment in which the situation of the two countries permits it, I shall hope to revive our correspondence.

I have a still further, though a more distant hope ; which is, that of seeing you and all my old friends again.

I had always an idea of returning to America. The event of my marrying fixed me here : every other consideration would have sent me back. Providence has at last mixed in with the present series of events one respecting myself (the loss of the partner of my life here), that has dissolved every tie and broken every tendril by which my heart held to this country. An unrelenting, unremitted course of ingratitude, positive injustice, and ill treatment, from the Government of it, although I have invariably continued, not only a consci-

entious faithful subject, but an actively zealous laborer for it, has so alienated from all wishes of continuing longer here than duty holds me, that I have very seriously of late renewed my thoughts, and have in actual contemplation the idea of coming and settling in a country that understood, acknowledged, and remembers my services, and where I hope to meet with many personal and private friends. If I do, my plan is to purchase a house in town, and a little farm in the country. I mean to spend my income amongst you; and, if things answer, then to vest my little property there.

I should be glad to hear from you on the subject, how far such propositions are agreeable to the present people, and what sort of reception I may expect, and of the nature of that line of private life which I may live in; for I do not mean to meddle with the public.

The five hundred acres of land which the Kennebec Company gave me, and which I hold in Pownalborough, I mean to give to the College in Cambridge, either as an addition to the Hollisian Professorship, or as part of the establishment of another professorship which I mean to found.

I intend also to leave, by will, my books to the library there.

These ideas, now in contemplation, I mean to carry into execution, when I can do it without offence to the Government or laws of this country, of which I am a subject; under whose protection I live, and hold my rights and property, and to which my allegiance is due. I shall expect to hear from you in explanation of these points.

I am, dear sir, your friend and servant,

T. POWNALL.

JAMES BOWDOIN, Esq.

BOSTON, May 17, 1779.

THOMAS POWNALL, Esq., M.P., in London.

DEAR SIR, — I thank you for your favor by Mr. Temple; by which I perceive you are not in the good graces of the British ministry, any more than the Americans: with this difference, however, that they have not made you the object of national vengeance, as they have them. One would think the experience of the last fifteen years, during which the character and interests of the nation have been declining, and rapidly so since their making war on America, should convince them, with all the force of demonstration, that their measures were essentially and systematically wrong. What a con-

trast do the beginning and end of this period exhibit! You can draw a lively and melancholy description of it. It is probable the ministerial system respecting America originated here; which, though calculated ostensibly to procure a revenue to Great Britain, was principally intended to operate to the advantage of those who planned it. Hence the representations and misrepresentations to induce the ministry to adopt it; one of which was, that not the people at large, but merely a faction, were opposed to it. After the clearest evidence of the contrary, — evidence sealed with the blood of thousands, — is it not surprising that the same language should be continued in the present stage of the dispute; that it should be represented that it is only a faction which upholds Congress; that, for the sake of peace, the people would relinquish their independency, &c., &c.?

These ideas are held forth by Governor Johnstone, in some of his late speeches in Parliament; by the commissioners, and other public men, in some of their publications; and in the newspapers of New York: by which last, especially (published under the inspection of the government of that city), the good people of England may be induced to think that the authority of Congress is at an end; the Union of the States dissolving; the new alliance execrated; and that one campaign more, if it should not effect a total conquest, will at least bring the confederated States to renounce the alliance, and again become subject to Britain. But nothing can be more contrary to truth than all this. The events of war, indeed, are uncertain; but it does not appear probable that a weakened enemy can effect a conquest to which the exertion of his full strength has proved unequal, especially when he has a new and much greater power to contend with. If the idea of conquest is still kept up, Britain will continue the war; and she will experience, as she has hitherto, whether there is not more to be lost than gained by it. If that idea be relinquished, as I think it must be by every one not influenced by the partial and false representations sent from America, — representations, however honestly meant, collected from persons interested or disaffected, or that have obtained their information only from those on their own side of the question, and wish our subjugation, — to what purpose is it to continue the war?

The longer it is continued, the less valuable will peace be to her whenever it shall take place; particularly in this instance, among others, that use will habituate us to foreign commodities and manu-

factures, to the exclusion, in a great degree, of British, which from custom, if time does not efface it, would be preferred on equal terms. I go upon the supposition of a free trade, resulting from independency; from which America cannot and will not now recede. A peace on the principles of independency and a free trade, if not too long deferred, would secure to Britain the greatest part of the American trade, from the preference which the force of habit would give to her commodities. On these principles only, now become indispensably necessary, is peace to be hoped for. Vain and futile will be the expectations of effecting it on the contrary *principles*.

Of the above-mentioned facts, Mr. Temple, I believe, is now abundantly convinced, both from his own observation, and from concurring sentiments of the principal people of these States with whom he has freely conversed since his arrival.

The idea of peace naturally brings to mind Governor Pownall's administration, when, though a foreign war subsisted, we were blessed with internal peace, and happy in our connection with Great Britain. Had the same just government continued, both countries would have been now happy in each other, and probably have continued so for ages to come; but the demon Avarice has rent them asunder, and thereby deprived posterity of the sight of the greatest empire, founded on right government, that ever existed. To look back answers no purpose, any further than to correct past errors. If Britain, by a review of her conduct, should see the duplicity and injustice of it, her ill treatment of individuals who exerted their utmost to undeceive her (particularly Dr. Franklin and Mr. Temple), and her cruelty since to the American prisoners in her power, and, by such review, should be induced to act an open and generous part, make compensation for injuries to individuals where there is just ground to expect it, and reverse her conduct with regard to such prisoners, it would tend to revive a confidence in her, and cause her propositions for a peace, if she thought proper to make any, to be attended to in proportion to their reasonableness, and their consistency with the principles above mentioned; from which, it may be relied on, America will never depart.

Thus much for politics. I mentioned to some gentlemen of the College, you had thoughts of giving your land at Pownalborough to that society; and they expressed their thanks for your kind intention. On this land, in common with all unimproved lands through this State, taxes have been laid for two years past, and will be this year

and in future. To prevent the sale of it, a gentleman, at my request, has paid the past taxes, which I shall repay him; and, if you desire it, I will pay the future taxes for you. He has not yet informed me how much he has paid.

Wishing you every felicity, I am with real esteem, dear sir,

Your most obedient, humble servant,

JAMES BOWDOIN.

BOSTON, Sept. 23, 1783.

THE HON. THOMAS POWNALL, Esq., in London.

DEAR SIR, — I had the honor of writing to you by Mr. Gorham, the 10th of August, on a subject similar to the present.

The former letter respected Charlestown; and this relates to Falmouth, in Casco Bay, the greater part of which, as is sufficiently known, was wantonly burnt in October, 1775, by the order of Admiral Graves. I have just received a letter from the Committee of Falmouth, accompanied with a letter to yourself on that subject; a general address to the friends of humanity in England, which they wish to have published; and a certificate of their appointment, which they desire me to get properly authenticated. The authentication, under the seal of the Commonwealth, will accordingly be annexed to the address and certificate and enclosed. In the address, they have left a blank for the name of the gentleman to whose care the donations are requested to be delivered; and it is their desire you will please to allow and direct your name to be inserted in it. To a gentleman of your benevolence and humanity, and in whose former public relation to them, as Governor, the people of Falmouth, with the Province in general, thought themselves very happy, it need only be observed on this occasion, that they continue what you knew them to be, — a worthy people; that they are under great embarrassments by reason of the losses they have sustained; and that the donations of the benevolent for their relief cannot be more fitly applied.

I have the honor to be, with every sentiment of esteem, dear sir,

Your most obedient, humble servant,

JAMES BOWDOIN.

I have seen advertised, in a late London paper, an Address to the Sovereigns of America, by Governor Pownall.

It would give me great pleasure to have an opportunity of reading it.

BOSTON, Nov. 20, 1783.

The Hon. THOMAS POWNALL, Esq.

DEAR SIR, — I am honored by your letter of the 28th February last. Its coming by way of Paris and Philadelphia occasioned my not receiving it till October. The General Court was then sitting; and, as your congratulations on American Independence could not be communicated so well as by your own letter, I sent it to the President of the Senate, who publicly read it to them, as the Speaker afterwards did to the House of Representatives. It was received in both Houses with pleasure, and gave general satisfaction. The event upon which you congratulate us is really an extraordinary one. I consider it, with you, "as the visible interposition of Divine Providence, superseding the ordinary course of human affairs." Among the agreeable consequences that are likely to arise from it, your intended visit to this country will be one. To us of the old race, it will give the sincerest pleasure to see our old friend; and to none of them more than to myself. When you come, you will scarcely see any other than new faces. Though this is naturally to be expected, after so long absence, the change which, in that respect, has happened within the few years since the Revolution, is as remarkable as the Revolution itself. It seems to have anticipated the time when "all old things shall be done away, and all things become new." I observe it is your plan to purchase in America, with a view of spending the remainder of your days in it, if you find things as you wish. There are several very agreeable places, within a few miles of Boston, which I suppose may be purchased, with good buildings and accommodations to them, with a quantity of land from fifty to a hundred acres, or a sufficiency for experiments and the rural amusement of a gentleman; but I do not know of a number of farms, lying together, that are to be purchased: though money enough will command any thing. Of rough lands at a distance, there is enough to be had; but these do not correspond to your description. I will make further inquiry; and, if I should be informed of a situation answering to that description, I will give you notice of it. In the meanwhile, lay aside every apprehension of uncivil treatment in travelling through this country. Every gentleman from every country, excepting American refugees, — against whom the spirit of resentment continues high, — may travel with the same freedom as formerly. Your intention of beginning the establishment of a professorship of political law in our University, on the basis you describe from Cicero,

entitles you, not only to the thanks of that society, but of every person who wishes well to the Commonwealth. It would be an excellent institution, and would hand down to posterity with honor the name of the founder; but I am afraid your intention, and expectations from the Pownalborough land, will be disappointed. The property of it, as I am informed, has been alienated at public vendue for the non-payment of taxes. Whether the time for redeeming it limited by law be expired, I cannot tell. I have wrote to a gentlemen there, to make critical inquiry about the taxes, the sale, the time of redemption, and every particular that will serve to give a right idea of this matter; about which you shall be further informed. In my letter to you by Mr. Temple, in May, 1779, I acquainted you I had paid for you a small tax on that land, and that, if you desired it, I would pay the future taxes; but, as I did not hear from you about it, I imagined you did not choose, in so hazardous a state of things, to risk any money upon the land. I communicated to Dr. Cooper your letter and the enclosed deed of the said land; and, at the next meeting, shall lay them before the Corporation of the College, who individually are already made acquainted with them.

Mr. Temple, by whom you will receive this letter, goes to England, with his family, by this opportunity. He will be able to give a full account of every thing you would wish to know of the situation of things on this side of the water. Wishing you every happiness, I am, with the sincerest esteem and the most cordial affection, dear sir,

Yours, &c.,

JAMES BOWDOIN.

I had the pleasure of writing to you in August last per Mr. Gorham, and since per —.

BOSTON, Aug. 21, 1784.

The Hon. THOMAS POWNALL, Esq.

DEAR SIR, — I have had the pleasure of your letters of the 9th of December and 11th January.

The parts of them which respected Harvard College, and the clause of your will bequeathing to the College your library, I communicated to the President and Corporation; and I am authorized to transmit to you their grateful acknowledgments for the generous bequest, and also for your intended donation of your Pownalborough land. I am sorry to tell you that what I informed you I had heard

respecting the sale of that land is a real fact. The land was sold, in 1780, for the non-payment of taxes; and the time of redemption expired in April or May, 1783. Application was made about it to the purchaser (one Christophers), who, insisting on very unreasonable terms, the President and Corporation presented a memorial to the General Court on the subject. This brought Christophers to Boston, and occasioned several conferences upon it between them and him, which finally issued in an agreement to pay him three hundred Spanish dollars (equal to sixty-seven pounds ten shillings sterling); which accordingly has been paid to him by the College Treasurer. As the fee of the land had legally passed to Christophers, this was the best bargain that could be made with him. I am authorized by your letter of the 11th January to pay the taxes and charges for you, and draw on you for the amount; but, as the money paid for the recovery of the land exceeds that amount by forty pounds, I did not think myself warranted to draw on you for it, without your expressed approbation.

With respect to the commission of Lieutenant or Major-General, I consulted with several confidential friends on the subject, — the Lieutenant-Governor (and he with the Governor), Mr. Adams; Mr. Osgood, a member of Congress and of our House of Representatives; and several other gentlemen of both Houses, — who all expressed a great regard for you, and some of them from personal knowledge. Your political character while Governor here, and since, made them wish to give some honorable mark of their esteem, and particularly to distinguish you from the governors which succeeded you; and they could not think of any way of doing it more likely than by such a commission, which they would use their influence to obtain. Thus far, the business seemed to be in a good train: but, by after-conversations on the subject, it appeared that objections were made; that the law had limited to three the number of Major-Generals (no superior commission, except the Governor's, having been conferred), and their commissions had been issued; that those commissions and all our other military commissions must have respect to the militia of the State; that to grant such a commission to the subject of a foreign State would be inconsistent with good policy; and, although merely honorary, it would be a precedent which would encourage and justify the subjects of France of a distinguished character, and subjects of other foreign States, in applying for like commissions, the granting or refusal of which might involve the State in disagreeable consequences; &c., &c.

These objections induced us to think it probable that a motion in either House for such a commission, however well supported, would fail of success. It was therefore determined eligible that the motion should be postponed, especially as it was your wish that we would not "commit you on uncertainties." 'However, if the objections can be obviated, it will give me real pleasure to be in any degree instrumental in effecting this measure to your satisfaction. You mention you had sent me, through the hands of Mr. Adams, one of your pamphlets directed to the sovereigns of America ; but I have not yet received it. I have had one from another gentleman, and have read it with pleasure. There are observations in it which merit the consideration of Congress and the United States, and to which I hope they will pay due attention.

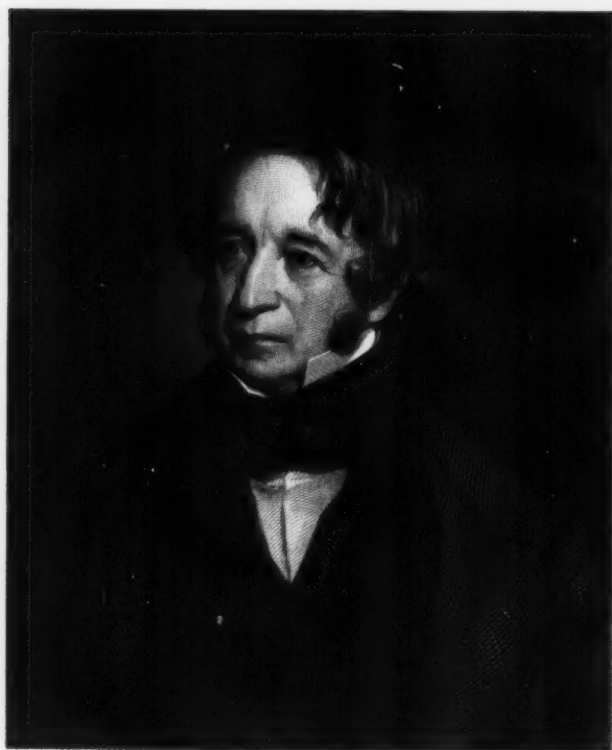
With most affectionate regards, I have the honor to be, sir,

Your most obedient, humble servant,

JAMES BOWDOIN.

The President laid on the table the following Memoir of Hon. Nathan Appleton, which he had prepared in compliance with a vote of the Society, passed on the 8th of August last : —





G. F. & Bony

W. A. Smith

yours truly
W. A. Smith

MEMOIR
OF
HON. NATHAN APPLETON.

BY HON. ROBERT C. WINTHROP.

AT early dusk on some October or November evening, in the year 1794, a fresh, vigorous, bright-eyed lad, just turned of fifteen, might have been seen alighting from a stage-coach near Quaker Lane,* as it was then called, in the old town of Boston. He had been two days on the road from his home in the town of New Ipswich, in the State of New Hampshire. On the last of the two days, the stage-coach had brought him all the way from Groton in Massachusetts; starting for that purpose early in the morning, stopping at Concord for the passengers to dine, trundling them through Charlestown about the time the evening lamps were lighted, and finishing the whole distance of rather more than thirty miles in season for supper. For his first day's journey, there had been no such eligible and expeditious conveyance. The Boston stage-coach, in those days, went no farther than Groton in that direction. His father's farm-horse, or perhaps that of one of the neighbors,

* Now Congress Street.

had served his turn for the first six or seven miles; his little brother of ten years old having followed him as far as Townsend, to ride the horse home again. But from there he had trudged along to Groton on foot, with a bundle-handkerchief in his hand, which contained all the wearing apparel he had, except what was on his back. He was now, on the second evening, at his journey's end. He had reached the destined scene of his labors and of his life; and it may be hoped, that when he laid himself down to rest that night, alone and in a strange place, some bright visions of success in the future may have mingled with his dreams of home, and honored parents, and affectionate brothers and sisters, whom he had left behind him, and may have softened the sadness of that first parting.

At early dawn on the morning of Sunday, the 14th of July, 1861, there died, at his beautiful residence in Beacon Street, — adorned, within, by many choice works of luxury and art, and commanding, without, the lovely scenery of the Mall, the Common, and the rural environs of Boston, — a venerable person of more than fourscore years; a merchant of large enterprise and unsullied integrity; a member of many learned societies; a writer of many able essays on commerce and currency; a wise and prudent counsellor in all private and public affairs; who had served with marked distinction in the legislative halls both of the State and of the Nation, and who had enjoyed through life the esteem, respect, and confidence of the community in which he lived. His funeral, three days afterwards, was attended by a large concourse of his fellow-citizens, and by

representative men of all professions and classes. A few hours before the funeral, a public meeting was held at the Exchange, on occasion of his death, at which tributes were paid to his memory by several of our most distinguished merchants and citizens, who all spoke of him as "fit for an example," — as a man whom the young merchants of Boston might well take as their model, and strive to copy. And on the succeeding Sunday, in the pulpit of the church with which he had been long associated, an eloquent occasional discourse concluded with the following words: "A Christian merchant, whose faith is at once his safeguard and his impulse, whose conscience is shown in what he says, and whose heart shines through his deeds, falls behind no example that may claim the praise, or provoke the imitation, of men. When such an one passes on to the eternal world, let those who have beheld his excellence profit by its instruction, and repeat its history." *

As we contemplate in immediate connection, and in immediate contrast, the two scenes which have thus been sketched, we naturally desire to know all that is to be known of the interval between such an opening, and such a close, of one and the same career; and to understand, so far as it may be fathomed, the secret of so signal a success. No details would seem to be too minute or trifling, which might help to illustrate such an example, or to bring it more nearly within the reach of imitation by those to whom it has been so justly com-

* "Religion conducive to Prosperity in this Life;" a sermon preached July 21, 1861, — the Sunday after the funeral of the late Hon. Nathan Appleton, of Boston, — by Ezra S. Gannett, D.D. Boston: 1861. J. H. Eastburn's press.

mended. Fortunately, abundant materials are not wanting for this purpose, from the most authentic source; while the simplicity and unity of the career which they disclose, will allow the portrait to be finished without greatly exceeding the compass of our ordinary memoirs.

NATHAN APPLETON was born in New Ipswich, N.H., on the sixth day of October, 1779; and although his first journey to Boston, in 1794, would seem to indicate that he was a lad of very humble fortunes, he was by no means without advantages of family and education. Few families, indeed, in New England, and not a great many in Old England, can be traced farther back than his own, through a respectable ancestry, and by an unquestioned pedigree. Among the Harleian Manuscripts in the British Museum is found a genealogy reaching back to John Appulton of Great Waldingfield, in the county of Suffolk, who was living there in 1396, and whose funeral monument in the parish church of that village, in 1416, was duly decorated (according to Weever) with "three apples *gules*, leaves and stalks *vert*." Among the descendants of this John Appulton, some of whom were settled in Great and some in Little Waldingfield, — some of whom were connected with knightly families, and at least one of whom bore the title of Sir, himself, — Samuel Appleton, the first emigrant to New England (in 1635), was of the seventh generation.

Following down the history of the family on American soil through five generations,* — all of them illus-

* Memorial of Samuel Appleton, of Ipswich, Mass., with Genealogical Notices, &c., by Isaac Appleton Jewett. Boston: 1850.

trated by names associated with valuable services in Church or State, in peace or war, in some honorable profession or in some no less honorable department of useful industry, — during the larger part of the time at Ipswich, in Massachusetts, where the first emigrant settled, and more recently at New Ipswich, in New Hampshire, — we come to the subject of our memoir.

He was the seventh son of Isaac Appleton, whose habitual title of Deacon was doubtless a just recognition of the gravity of his character, and of the interest which he took in the religious institutions of the community in which he lived. The father of twelve children, ten of whom lived to maturity, Isaac may not have had the wealth, even if he had the will, to send all his boys to college. It may perhaps have damped his disposition for making scholars of the others, that his second son (Joseph) died so soon after taking his Bachelor's degree at Hanover. But the early education of his children was not neglected, either by him or by themselves. The school life and academy life of Nathan, certainly, seem to have been deeply impressed on his own memory. He was evidently an ambitious and a successful scholar. He pursued his studies until he was fitted to enter college; and, after a formal examination, he was regularly admitted to the freshman-class at Dartmouth College. The following passage from the "Sketches of Autobiography," which he committed to the writer of these pages, with his own hand, not long before his death, and which were drawn up about six years since, gives a vivid picture of his early days; and though it leaves the question unsettled, whether his stopping short at the

very threshold of college life was owing to his father's preferences or his own, it shows conclusively that it was not from being turned by at the examination. Nathan was not of a complexion to be *turned by* from any thing which he undertook, either as boy or man; and Dartmouth lost a good scholar and a distinguished alumnus, when he declined the matriculation which she tendered to him, and to which his examination had fully entitled him.

"I was born at New Ipswich, according to the record, on the sixth day of October, 1779. The only tradition which I ever heard of my infancy is, that I was so near being carried off by a lung-fever, that preparations were making for laying me out. The earliest thing of which I have any recollection is the falling of the sash of a window, when I was in somebody's arms, upon the forefinger of my left hand, by which it was cruelly crushed, and the marks of which remain all my life. I have some recollection of going to school to the Widow Tillick, who taught me the letters by pointing them out with a fescue. I afterward attended the town-school, kept by a Mr. Hedge. I well recollect the trepidation with which I was seized, the first day of my attendance, at seeing a big boy, my cousin, called up, and receive a severe flogging. My first appearance in public was at this school at a very early age, when I recited 'Aurora, now fair daughter of the dawn,' to the great admiration of several old women, who particularly praised me in the lines, —

'I fix the chain to great Olympus' height,
And the vast world hangs trembling in my sight.'

I recollect that this was the first occasion of my appearing in jacket and trousers, and that they consisted of red calamanco. Mr. Hedge was unpopular with the older scholars: and, on occasion of some difficulty about the schoolhouse chimney, some of the bigger boys, being sent up into the garret to see what was the matter, took advantage of the opportunity to break down the

chimney altogether; and thus was an end put to the school for the year. A new schoolhouse was built, about half way up the steep hill; which was then the only avenue through the middle of the town. At this I attended school several years during the winter, or as long as the town-school was kept. The only competition of the scholars was in spelling. . . . Rebecca Barrett (afterwards wife of Hon. Samuel Dana) and myself were generally at the head of the class; and there was more difficulty in making either of us change places, when at the head, than in running through all the rest of the class. My last master here was Mr. Dakin: and when I had got through the cube-root, and came to algebra, he frankly told me that he could go no farther with me; that I then knew as much as he did.

"About the year 1792, the Academy was established at New Ipswich. Mr. Hubbard was the preceptor, — a most worthy, excellent man. Under his tuition I was prepared for entering college. He gave exhibitions in very superior style. At one of them, I performed the part of Belcour in the 'West Indian;' at another, that of Marplot in the 'Busy-body.' In August, 1794, I made the journey to Hanover on horseback, in company with Charles Barrett and — Bemis; where I was examined, and admitted to the freshman-class in Dartmouth College. It had, however, been decided, previously, that I should proceed no further in collegiate studies than the entry. My brother Samuel was in trade in New Ipswich, and had decided on trying his luck in Boston; and he proposed I should accompany him. Whether this proposal was thought more eligible than going to college by my father or myself, I cannot now say; but the result was, that it was determined that I should become a merchant, rather than a scholar."

In immediate sequence to the passage which has thus been quoted, is found the description of that first humble advent to Boston, which has already been sketched, but which is altogether too characteristic to be omitted in its proper connection and in his own words. It forms

the preamble, too, of a brief account of the small beginnings of that mercantile career to which his energies were henceforth to be devoted, and which he was destined to pursue so successfully for himself, and with so much honor and advantage to the community in which he lived and died. His study of "book-keeping by double entry," and the emphatic testimony which he bears to its importance; his going to board with Mr. Sales for the benefit of speaking French; and his casual encounter of the late Mr. Justice Story in a small-pox hospital, where they first formed an acquaintance as fellow-patients, which ripened, in other years, into relations of the most cordial friendship and the highest mutual respect, — will not be unobserved by the reader. Mr. Appleton does not dilate on this latter incident; simply referring to certain "long discussions" which he heard there, and expressing himself "highly gratified." No doubt, the gratification was mutual. The one was always an excellent listener: the other was always an exuberant talker. If any thing could have relieved the tedium of that loathsome confinement, it must have been the ardent, hopeful, enthusiastic discourse of the youthful Story. How little could either of them have dreamed of the eminence they were to attain in after-life! Could they have inoculated each other at that moment with a little of their respective peculiarities, it would have been a gain, perhaps, to the social aptitudes of both.

"It was in October or November, 1794, that I took my departure for Boston. At that time, a stage ran from Boston to Groton. I was allowed a horse as far as Townsend, with my brother Eben to take him back. From there I footed it, with a

pocket-handkerchief in my hand, which contained all my wearing apparel beside what was on my back. I arrived at Groton early in the afternoon; and, the next morning, took the stage for Boston. We dined at Concord; and I recollect, that, on passing Charlestown Bridge, the evening lamps were lighted. My brother commenced business in a small shop in Cornhill; to obtain which, he was obliged to purchase out the occupant, Mr. William P. White. His business consisted mostly in purchasing goods at auction, and selling them to country traders, for cash or short credit, for a small profit. He soon removed to a larger room, — No. 50, Cornhill. My first boarding-place was with a very old couple, — Mr. and Mrs. Ridgway, near Quaker Lane. I here became acquainted with Eliphalet Hale, whom I had known at New Ipswich Academy. He was from Jaffrey. He was in the service of John Cushing. From him I learned the first principles of book-keeping by double entry. With the assistance of Mair's Treatise, which I purchased, I soon opened a set of books for my brother; and, from that time, have never kept books in any other manner. I have always attributed a great portion of the failures which take place to a want of attention, or a want of knowledge, in the proper principles of book-keeping. In the year 1798, the yellow-fever prevailed in Boston. I was permitted to avail myself of the occasion to be inoculated for the small-pox at Dr. Aspinwall's hospital, at Brookline. Amongst the patients was Joseph Story, with whose acquaintance I was highly gratified. He was then a student at college. His long discussions with Dr. Aspinwall I well recollect. In 1799, my brother made his first voyage to Europe; leaving me in charge of his business, a part of which was to receive and dispose of his shipments of goods. After his return, we removed to a warehouse in State Street. I became of age in October, 1800. My brother proposed that I should become a partner with him, on terms which I considered liberal, and which I accepted. I had, at an early period, taken lessons in French. I afterward went to Mr. Sales', in Federal Court, as a boarder, in company with Henry Higginson, for the benefit of speaking French, which I continued a year or two."

Mr. Appleton had now entered on his majority; and opportunities were immediately at hand for enlarging his observation and experience, and for developing that spirit of sturdy self-reliance which was so leading an element of his character. He was sent out to England to purchase goods while Europe was in a state of war. The news of peace reached him on landing, and changed, of course, the whole condition and current of trade. He postpones his purchases, and travels on the Continent. Passing through the various cities of the Low Countries, he examines "with attention and interest the ruins of Valenciennes," whose long siege and bombardment, it seems, he had studied at the time they occurred, while he was a mere schoolboy. At Paris, he sees the treasures of art which Napoleon had accumulated as the spoils of his marvellous conquests in Italy; and, better still, he sees the great First Consul himself, at a grand military review, and at the exact period when his imperial ambition was just beginning to be distinctly foreshadowed.

He returns to America, and resumes his mercantile career; is happily married, and soon crosses the ocean again, for the health of his wife; meets the late Mr. Francis C. Lowell in Edinburgh, at the moment when he was first conceiving the policy to which the cotton manufacture of New England owes its origin, and holds an earnest and encouraging consultation with him in regard to it. Returning home again, he makes two visits to Washington in close succession, — the one a casual visit of curiosity, the other as a delegate from the merchants of Boston, — but both of them bringing him into familiar association with the men who controlled

the affairs of the country, and thus preparing him to meet them afterwards as their peer and colleague; and all the while he is a merchant still, on the full tide of a prosperous and laborious business. But we must allow him to tell this part of his story, too, in his own brief and simple way; compressing, as he does, the incidents of more than ten years of his life into two or three manuscript pages.

“In November, 1801, I embarked for Liverpool for the purpose of purchasing goods in our regular business. On the pilot coming on board, we learned the news of peace, — the peace of Amiens. The first effect of this peace on American trade was very unfavorable. It caused many failures. Caution and curtailment were impressed upon me in all my letters from home. The day after the proclamation of the ratification of the peace, in April, 1802, I set off from London for the Continent, in company with A. W. Atherton. We embarked at Harwich for Helvoet Sluys, and visited the different cities of Holland and Belgium. I examined with attention and interest the ruins of Valenciennes, whose long siege and bombardment I had studied at the time in 1793. At Brussels we hired a cabriolet, which we finally kept all the way to Paris, where we arrived about the 1st of June. It was at the time of the Consulate; and Napoleon never stood higher in public estimation than then, as the restorer of peace and of the Catholic religion. At this time, however, his future ambition was shadowed forth, as the books were opened for subscription to answer the question, — *Bonaparte, sera-t-il Consul à vie?* Whilst in Paris, by buying an eligible seat, we had a very good opportunity to see Bonaparte at a grand review at the Place Carrousel. He was then thin and sallow. The museums and galleries of Paris then exhibited the treasures stolen from Italy and Belgium, and which were restored by the treaty of 1815. We returned to England in July; when the accounts from home came worse and worse, and I returned to Boston in September. I continued in business with my brother,

with varied success, but, on the whole, with an average of prosperity, until 1809, when our copartnership was dissolved. My life had, thus far, been a laborious one. In 1806, I married Maria Theresa, the oldest daughter of Thomas Gold of Pittsfield. In 1810, I formed a copartnership with my brother Eben and Mr. Daniel P. Parker; which was brought to a close in 1813, in consequence of the war of 1812. The war, however, added very considerably to our profits. In 1810, I visited England on account of the health of my wife. In September, we made a tour into Scotland and the Lakes; passed the winter at Bath and Clifton; and in May, 1811, embarked for New York, where we arrived in June, with greatly restored health.

"Whilst in Edinburgh, I saw a good deal of Francis C. Lowell, Esq., who was there with his family. We had a good deal of conversation upon the subject of the cotton manufacture; and he told me that he had determined, before he returned, to make himself fully acquainted with the subject, with a view to the introduction of it at home. I urged him to do so, with an understanding that I should be ready to co-operate with him in such an undertaking. The war was declared in June, 1812. It so happened, that I was making a visit at Washington whilst it was in discussion in the Senate, in secret session; it having already passed the House. I was invited by Thomas R. Gold, my wife's uncle, a member from the State of New York, to join his mess, which was a large one; where I became acquainted with Harmanus Bleecker, and where Mr. Randolph, then in the opposition, was a frequent visitor. My time passed then very pleasantly. I dined at Mr. Foster's, the British minister's, on the Saturday preceding Wednesday, the 18th of June, when the War Bill finally passed the Senate. Mr. Foster had so little expectation of that result, that he actually purchased an ice-house on the day we dined with him, and on which the Senate passed a vote which made the final result certain. The general opinion amongst those opposed to the war was, that the Executive (Mr. Madison) was pushed up to make his war-message, but that he relied on the Senate to defeat it. The news of the death of Mr. Percival, and the impending repeal of the orders

in council, reached Washington two days after the declaration of war. The orders in council were, in fact, repealed; and, in consequence, large shipments of goods were made for American account. To facilitate these shipments, under the alarming rumors of war which came from America, the British Government agreed to grant licenses or protections to American ships taking such goods, even should war between the two countries actually take place. On the arrival of these goods in the United States, they were taken possession of by the Government under the Non-intercourse Act, and bonds for the value required to be given before they could be delivered to the owners. The question of forfeiture was to be settled by Congress. As the amount involved was many millions of dollars, delegates were appointed from the different cities. Mr. John Gore and myself were appointed delegates from Boston. I accordingly proceeded to Washington at the commencement of the session, — December, 1812. Washington Irving (then engaged in trade) was one of the delegates from New York. We had hearings before the Committee of Ways and Means, of which Mr. Cheves was chairman. We were introduced to many of the distinguished members of Congress; as Mr. Clay (Speaker), Mr. Calhoun, Mr. Lowndes, &c. The Committee reported against us; Mr. Cheves, the chairman, dissenting. After a long debate, the House decided, by a close vote, in favor of cancelling the bonds.

“Whilst at Washington, and dressing one evening for the Naval Ball, an illumination was discovered to be lighting up in President’s Square. It was soon known that the son of the Secretary of the Navy (Mr. Hamilton) had arrived in the city with the flag of the ‘Macedonian,’ captured by Decatur. This was afterward carried in triumph about the ballroom; which, of course, presented a scene of great excitement.”

The next passage from the “Autobiographical Sketches,” which we proceed with in its order, is a more considerable one; embracing an account of the first introduction of the power-loom into this country, and of the original establishment of the cotton manufacture at

Lowell. Much of it, if not the whole of it, has been given substantially, if not in the same words, in a pamphlet which Mr. Appleton published under his own name not many years ago. But the part which he took in so important an enterprise cannot be omitted in this connection; nor can it fairly be described in any language but his own. There is ground for thinking that he attached particular importance to its being reproduced in any memoir of which he might be the subject; and not without reason, — since it not merely unfolds the marvellous rise and progress of a great branch of American industry, but exhibits, so strikingly, the capacity of one who was largely concerned in the undertaking, to depict its various stages with simplicity, precision, and perfect candor. The testimony which he bears to the merits of others, and especially to the pre-eminent services of Mr. Lowell, is of no small historical value. It is the testimony not merely of a witness, but of an actor; and the seeming disclaimer of any particular credit for himself is altogether in keeping with his character, and furnishes a happy illustration of his unassuming disposition. Posterity will not fail to recognize him as one of the founders of that great manufacturing city, to which he boasts only to have given the name of his friend.

“In 1813, Mr. F. C. Lowell having returned from Europe, he and Mr. P. T. Jackson came to me one day on the Exchange, and stated that they had determined to establish a cotton manufactory, and that they had purchased a water-power in Waltham (Bemis's Paper-mills). They had obtained an act of incorporation; and Mr. Jackson had agreed to give up all other business, and take the management of the concern. The capital

authorized by the charter was four hundred thousand dollars; but it was only intended to raise one hundred thousand dollars until the experiment was fairly tried. Of this sum, Mr. Lowell and Mr. Jackson, with his brothers, subscribed the greater part. They proposed to me to take ten thousand dollars of the stock. I told them, that, theoretically, I thought the business ought to succeed; but that all I had seen of its practical operation was unfavorable. I was therefore willing to take five thousand dollars of the stock, in order to see the experiment fairly tried, as I was sure it would be by Mr. Jackson, and would make no complaint if I lost the whole; but that I should decline taking a greater sum. They observed to me, that they wished to confine the stock in as few hands as possible; that they would offer the ten shares to one person, whom they named; and, if he declined taking them, I should have the five shares which I proposed. They soon afterward informed me, that the party they applied to made the same objection; and they therefore concluded to divide them between us. This was the origin of my connection with the cotton manufacture. On the organization of the company, I was appointed one of the directors; and, by constant communication with Messrs. Lowell and Jackson, was familiar with the progress of the concern.

“The first measure was to secure the services of Paul Moody, of Amesbury, whose skill as a mechanic was well known; and his success fully justified the choice. The power-loom was at this time being introduced in England; but its construction was kept very secret. Mr. Lowell had obtained all the information which was practicable about it, and was determined to perfect it himself. He was for months experimenting at a store in Broad Street, employing a man to turn a crank.

“It was not until the building was completed, and other machinery was running, that the first loom was ready for trial. Many little matters were to be overcome or adjusted before it would work perfectly. Mr. Lowell said to me, that he did not wish me to see it until it was complete, of which he would give me notice. At length, the time arrived; and he invited me to go out with him, and see the loom operate. I well recollect

the state of satisfaction and admiration with which we sat by the hour watching the beautiful movement of this new and wonderful machine, destined, as it evidently was, to change the character of all textile industry. This was, I think, in the autumn of 1814. Mr. Lowell's loom was different in several particulars from the English loom, which was afterward made public. The introduction of the power-loom made several other changes necessary in the process of weaving. The first was in the dressing; for which Mr. Horrocks, of Stockport, obtained a patent, and of which Mr. Lowell obtained a drawing. On putting it in operation, an essential improvement was made upon it, by which its efficiency was more than doubled. This Waltham dressing-machine continues in use, with little change, from that time. The stop-motion of the machine for winding on the beams for dressing was original with this company. The greatest improvement was in the double speeder. The original fly-frame was made on no fixed principle for regulating the changing movements necessary in the process of filling a spool. Mr. Lowell undertook to make the numerous mathematical calculations necessary to perfect these complicated movements, which occupied him constantly for more than a week. Mr. Moody carried them into effect by constructing the machinery in conformity. Several trials at law were made under this patent; involving the nice question, whether a mathematical calculation could be the subject of a patent. The last great improvement consisted in a more slack spinning on throstle spindles; and the spinning of filling directly on the cops, without the process of winding.

"A pleasant anecdote is connected with this last invention. Mr. Shepherd, of Taunton, had a patent for a winding-machine, which was considered the best extant. Mr. Lowell was chaffering with him about purchasing the right of using them on a large scale, offering him some reduction from the price named. Mr. Shepherd refused; saying, 'You must have them: you know you cannot do without them; can you, Mr. Moody?' Mr. Moody replied, 'I am just thinking that I can spin the cops direct upon the bobbin.' — 'You be hanged!' said Mr. S.: 'well, I accept your offer.' — 'No,' said Mr. Lowell: 'it is too

late.' From the first starting of the first power-loom, there was no hesitation or doubt about the success of this manufacture. The full capital of four hundred thousand dollars was soon filled up and expended; and an addition of two hundred thousand dollars was afterwards made by the purchase of the place below, in Watertown.

"After the peace in 1815, I formed a new copartnership with Mr. Benjamin C. Ward. I put in the capital, with the understanding that I was not to perform any of the labor of carrying on the business. I had acquired a fortune sufficient for my moderate desires; but I was unwilling to separate myself entirely from the operations of business. So far as the original object of this copartnership was concerned, — the importation of British goods, — it was unsuccessful, as I never recovered back my capital with simple interest; but an accidental circumstance occasioned its continuance until 1830. At the time the Waltham Company first began to produce cloth, there was but one place at which domestic goods were sold: this was at a shop in Cornhill, kept by Mr. Isaac Bowers, or rather by Mrs. Bowers. Accordingly, the first goods made were sent to Mrs. Bowers. As there was, at this time, only one loom in operation, the quantity accumulating was not very great. However, one day Mr. Lowell said to me, that there was one difficulty which he had not apprehended: the goods would not sell. We went together to see Mrs. Bowers. She said everybody praised the goods, and no objection was made to the price; but still they made no sales. I told Mr. Lowell, the next time they sent a parcel to town, to send them to the store of B. C. Ward and Co., and I would see what could be done.

"The article first made at Waltham was precisely the article of which a large portion of the cotton manufacture of the country has continued to consist, — a heavy sheeting of No. 14 yarn, thirty-seven inches wide, forty-four picks to the inch, and weighing something less than three yards to the pound. That it should have been so well suited to the public demand was matter of accident. At that time, it was supposed no quantity of cottons could be sold without being bleached; and the idea was

to imitate the yard-wide goods of India. Mr. Lowell informed me that he would be satisfied with twenty-five cents the yard for the goods, although the nominal price was higher. I soon found a purchaser for the first parcel in Mr. Forsaith, an auctioneer ; who sold them at auction at once, at something over thirty cents. We continued to sell them at auction for some time, with little variation of the price. This circumstance led to the company of B. C. Ward and Co. becoming permanently the selling agents. In the first instance, I found an interesting and agreeable occupation in paying attention to the sales ; and made up the first account with a charge of one per cent commission, not as an adequate mercantile commission, but satisfactory under the circumstances. This rate of commission was continued, and finally became the established rate, under the great increase of the manufacture. Thus what was at the commencement rather unreasonably low, became, when the amount of sales concentrated in single houses amounted to millions of dollars, a desirable and profitable business.

“ Under the influence of the war of 1812, the manufacture of cotton had greatly increased, especially in Rhode Island, but in a very imperfect manner. The effect of the peace of 1815 was ruinous to these manufacturers. In 1816, a new tariff was to be made. The Rhode-Island manufacturers were clamorous for a very high specific duty. Mr. Lowell was at Washington for a considerable time during the session of Congress. His views on the tariff were much more moderate ; and he finally brought Mr. Lowndes and Mr. Calhoun to support the minimum of six and a quarter cents the square yard, which was carried. In June, 1816, Mr. Lowell having invited me to make a visit to Rhode Island with him in order to see the actual state of the manufacture, I was very happy to accept his proposition. At this time, the success of the power-loom at Waltham was no longer matter of speculation or opinion : it was a settled fact.

“ We proceeded to Pawtucket. We called on Mr. Wilkinson, the maker of machinery. He took us into his establishment, — a large one. All was silent, — not a wheel in motion, not a man to be seen. He informed us that there was not a spindle

running in Pawtucket: except a few in Slater's old mill, making yarns, all was dead and still. In reply to questions from Mr. Lowell, he stated, that, during the war, the profits of manufacturing were so great, that the inquiry was never made, whether any improvement could be made in machinery, but how soon it could be turned out. We saw several manufacturers: they were all sad and despairing. Mr. Lowell endeavored to assure them that the adoption of the power-loom would put a new face upon the manufacture; but they were incredulous: it might be so; but they were not disposed to believe it. We proceeded to Providence, and returned by the way of Taunton. We there stopped at the factory of Mr. Shepherd, who had put a power-loom in operation, acting vertically; that is to say, the web running up and down, and the lathe playing in the same way. It was evident that it could not succeed. By degrees, however, the manufacturers woke up to the fact, that the power-loom was an instrument which changed the whole character of the manufacture; and that, by adopting the other improvements which had been made in machinery, the tariff of 1816 was sufficiently protective. Mr. Lowell adopted an entire new arrangement, in order to save labor in passing from one process to another; and in so arranging all the machinery, that the entire product should be converted into cloth within the mill.

"It is remarkable how few changes, in this respect, have since been made from those established by him in the first mill built in Waltham. It is also remarkable how accurate were his calculations as to the expense at which goods could be made. He used to say, that the only circumstance which made him distrust his calculations was, that he could bring them to no other result but one which was too favorable to be credible. His calculations, however, did not lead him so far as to make him imagine that the same goods which were then selling at thirty cents a yard, would, at any time, be sold at six cents, and without a loss to the manufacturer, as has since been done. He died in 1817, beloved and respected by all who knew him. He is entitled to the credit of having introduced the new system in the cotton manufacture, under which it has grown up so

rapidly; for, although Messrs. Jackson and Moody were men of unsurpassed energy and talent in their way, it was Mr. Lowell who was the informing soul, which gave direction and form to the whole proceeding.

"The success of the Waltham Company made me desirous of extending my interest in the same direction. I was of opinion, that the time had arrived when the manufacture and printing of calicoes might be successfully introduced in this country. In this opinion, Mr. Jackson coincided; and we set about discovering a water-power. At the suggestion of Mr. Charles H. Atherton of Amherst, N.H., we met him at a fall of the Souhegan River, about six miles from its entrance into the Merrimack; but the power was insufficient for our purpose. This was in the summer of 1821. In returning, we passed the Nashua River, without being aware of the existence of the fall which has since been made the source of so much power by the Nashua Company. We saw a small gristmill standing in the meadow near the road, with a dam of some six or seven feet. Soon after our return, I was at Waltham one day; when I was informed that Mr. Moody had lately been at Salisbury, where Mr. Worthen, his old partner, said to him, 'I hear, Messrs. Jackson and Appleton are looking out for water-power: why don't they buy up the Pawtucket Canal? that would give them the whole power of the Merrimack, with a fall of thirty feet.' On the strength of this, Mr. Moody had returned that way, and was satisfied with the extent of the power, and that Mr. Jackson was making inquiries on the subject. Mr. Jackson soon after called on me, and informed me that he had had a correspondence with Mr. Clark of Newburyport, the agent of the Pawtucket Company, and had ascertained that the stock of that company, and the lands necessary for using the water-power, could be purchased; and asked me what I thought of taking hold of it. He stated that his engagements at Waltham would not permit him to take the management of a new concern; but he mentioned Mr. Kirk Boott as having expressed a wish to take the management of an active manufacturing establishment, and that he had confidence in his possessing the proper talent for it.

After a discussion, it was agreed that he should consult Mr. Boott; and that, if he would join us, we would go on with it. He went at once to see Mr. Boott, and soon returned to inform me that Mr. Boott entered heartily into the project; and we set about making the purchases without delay. Until these were made, it was necessary to confine all knowledge of the project to our own three bosoms. Mr. Clark was employed to purchase the necessary lands, and such shares in the canal as were within his reach; whilst Mr. Henry Andrews was employed in purchasing up the shares owned in Boston. I recollect the first interview with Mr. Clark, at which he exhibited a rough sketch of the canal and adjoining lands, with the prices which he had ascertained they could be purchased for; and he was directed to go on and complete the purchases, taking the deeds in his own name, in order to prevent the project taking wind prematurely. The purchases were made accordingly for our equal joint account; each of us furnishing funds as required to Mr. Boott, who kept the accounts. Formal articles of association were then drawn up. They bear date Dec. 1, 1821; and are recorded in the records of the Merrimack Manufacturing Company, of which they form the germ. The six hundred shares were thus subscribed:—

Kirk Boott and J. W. Boott	180
N. Appleton	180
P. T. Jackson	180
Paul Moody	60
	<hr/> 600

“The Act of Incorporation of the Merrimack Manufacturing Company bears date 5th of February, 1822; recognizing the original association as the basis of the company. Our first visit to the spot was in the month of November, 1821, when a slight snow covered the ground. The party consisted of P. T. Jackson, Kirk Boott, Warren Dutton, Paul Moody, John W. Boott, and myself. We perambulated the grounds, and scanned the capabilities of the place; and the remark was made, that some of us might live to see the place contain twenty thousand inhabitants.

"On our first organization, we allowed Mr. Moody to be interested to the extent of ten per cent, or sixty out of six hundred shares. We soon after made an arrangement with the Waltham Company, making a mutual interest between the two companies. The canal was a work of great labor. The first water-wheel of the Merrimack Manufacturing Company was set in motion on the 1st of September, 1823. The business of printing calicoes was wholly new in this country. It is true, that, after it was known that this concern was going into operation for that purpose, two other companies were got up, — one at Dover, N.H.; the other at Taunton, — in both of which, goods were probably printed before they were by the Merrimack Company.

"The bringing the business of printing to any degree of perfection was a matter of difficulty and time. Mr. Allen Pollock thought himself competent to manage it, and was employed for some time. Through the good offices of Mr. Timothy Wiggin, Mr. Prince, of Manchester, was induced to come out, with his family; and has remained at the head of the establishment up to the present period (1855).

"The engraving of cylinders was a most important part of the process; and Mr. Boott made one voyage to England solely for the purpose of engaging engravers. It was then kept a very close mystery. Mr. Dana was employed as chemist. Through the superior skill and talent of Messrs. Boott, Prince, and Dana, the company was brought to the highest degree of success. In the mean time, Mr. Moody was transferred from Waltham to this place, having charge of the manufacture of machinery. Mr. Worthen had been employed at an early day. He was a man of superior mechanical genius, and his death was deeply regretted. The capital of the Merrimack Company was gradually increased, a division of the property betwixt that company and the Proprietors of the Locks and Canals was made, new companies were established, until this new creation became a city, by the name of Lowell. I may, perhaps, claim having given it the name. Several names had been suggested, but nothing fixed on. On meeting Mr. Boott one day, he said to me that the committee

were ready to report the bill (in the Legislature). It only remained to fill the blank with the name. He said he considered it narrowed down to two, — Lowell or Derby. I said to him, 'Then Lowell, by all means;' and Lowell it was."

From the intimate acquaintance which Mr. Appleton had thus acquired with the history of the American cotton manufacture, and with all the details of its machinery and management from its earliest establishment in New England, he derived peculiar qualifications for the public services which he was soon called upon to render. No questions which have ever arisen in our country have given occasion to more important discussions, or more protracted and agitating controversies, than those which have related to our revenue system; and no feature of that system has been so frequently and so violently contested as that which looked to the encouragement of the manufacture of cotton on American soil. It has divided parties; it has arrayed State against State, and section against section; it has shaken the republic to its foundation. The mad design to rend the Union asunder forever, which has plunged us at last into so deplorable a conflict, owed not a little of its original impulse to the jealousies and antipathies which had arisen from a fancied antagonism between the interests of the cotton-growers of the South and the cotton-spinners of the North. It was in connection with the alleged injustice of a discriminating tariff, and during the very debate in which Mr. Appleton first took a prominent part in the Congress of the United States, that Mr. McDuffie originally promulgated the idea of "a glorious rebellion," by which South Carolina was to be freed

from oppression. Few men were in the way of doing more to counteract this delusion, at this memorable period of its primary development, than Mr. Appleton; and no man improved his opportunities to better advantage. In the public journals, in commercial dictionaries or conversations-lexicons, in the Legislature of Massachusetts, in the Congress of the United States, his pen and his voice were always ready and always effective in demonstrating the fallacies of a doctrine, which would long ago have surrendered to Great Britain the undisputed monopoly of those textile fabrics by which the world was to be clothed, and for which the raw material was furnished, in so large a part, by the Southern States. If the forty-bale theory was at last demolished, it is hardly too much to say, that the weaver's beam which dealt the sturdiest blows, and did the largest share in the demolition, was wielded by the arm of Nathan Appleton.

He entered the Legislature of Massachusetts in 1815, and was re-elected one of the Boston representatives in 1816, 1821, 1823, 1824, and 1827. In 1830, he was chosen a member of the House of Representatives of the United States, after one of the most exciting and closely contested political struggles which Boston has ever witnessed. Declining a re-election in 1832, he was induced to resume the Boston seat in Congress, for a few months, in 1842. It so happened, that some of the most important discussions which have ever occurred on the subject of the tariff, in our National Legislature, were exactly coincident with his terms of service. Perhaps it would be more just to say, that he was selected

for the candidacy, and induced to accept it, at these particular times, with a special view to his ability to grapple with the questions which were then plainly impending. Certain it is, he was there at the right moment, both for his own reputation, for the advantage of his constituents, and, still more, for the right understanding of those great problems of public policy with which his personal experience and practical sense had peculiarly fitted him to deal. But let us no longer detain our readers from his own plain and modest account of this part of his career, and of some of the services which he rendered to the cause of a discriminating revenue system.

“At the request of Dr. Lieber, I furnished him an article on the cotton manufacture, for his Dictionary. Mr. Condé Raguet, editor of the ‘Banner of the Constitution,’ in Philadelphia, ridiculed the idea therein expressed, that we could compete with Great Britain in the article of coarse cottons for exportation. This led to an anonymous correspondence, and the acceptance, on his part, of a proposition which I made him, to furnish him some articles on the cotton manufacture; which was accordingly done in six numbers, signed ‘Statist,’ — the last dated Aug. 31, 1831. In the first number, I stated that the fact of a constantly increasing export of these goods for a number of years, although then only amounting to a million of dollars, was proof of the fact, that we did furnish them in a fair competition with the British. The fact is adverted to, that we had introduced a manufacture which was a new article in commerce, containing a greater quantity of the raw material, with a less proportion of labor, than any thing then in use, and of course furnishing a cheaper and more economical article of general consumption. It was also contended, that we had, on the whole, a balance of advantages over England in this manufacture: which consisted, first, in the greater cheapness of water-power over steam, estimated

as six hundred to three thousand eight hundred and forty; and, second, in the advantage of having the raw material nearer at hand, estimated at two cents the pound. (Cotton was then subject to a duty in England of five-eighths of a penny per pound.) Against these advantages, the only offset was a difference in the cost of machinery; which was estimated to cost fifty per cent more in the United States than in England.

"The second number took up the subject of labor, and gave documents to prove that the price then paid for labor in the cotton manufacture in England was as great or greater than was paid in the United States. This was owing to our employing females only, whilst the English employed a large proportion of men, especially as mule-spinners, earning very high wages; whilst we had improved throstle-spinning, operated wholly by females, so as to supersede, in a great measure, the use of mules. All this has been changed since by the introduction of self-acting mules.

"Mr. Raguét remarks, that 'the views presented in these two communications are calculated to make a stirring impression upon public opinion. To disprove the positions of our correspondent will require the aid of some of our mercantile friends.' He finally states his readiness to publish the opinions of 'Statist' upon the tariff, as well as information upon the finer branches of the cotton manufacture.

"In the third and fourth numbers, 'Statist' proceeds to describe the progress of cotton manufacture, which he finally divides into three classes: viz., first, the coarse goods which we were then exporting in considerable quantities; second, the finer descriptions of plain goods, as shirtings and sheetings, in which our own consumption was well supplied by our own manufacture; and, third, printed calicoes and other colored goods, of which we were then supposed to manufacture something more than one-half our consumption. The different bearing of the tariff on these classes is pointed out,—on the first, merely nominal; on the second, very trifling. 'It is in the higher branches of the third class only that the question of a reduction of duty pinches. Here the two contending tides of importation and manufacture

meet: here is the sole action of the tariff.' In these and in No. 5, the question of the protective policy is discussed; and a good deal of stress is laid on the impolicy of subjecting our industry to the fluctuations taking place in other countries, of which the revulsion of 1829, in England, furnished a striking example.

"These speculations appear to have been rather distasteful to Mr. Raguet; for he declined to publish any thing further from the writer, unless he would avow his name, as he doubted the correctness of his statement of the cost of manufacturing coarse cottons. In my rejoinder, I gave him the abstract cost of the manufacture in an establishment, with a sample of the goods made, and a personal reference to a merchant in Philadelphia. He, in reply, says that a manufacturer to whom he showed the sample could not believe that such goods could be made for seven and one-third cents the pound, as I had stated; but, in consequence of what he considered concessions on my part, he invited me to a renewal of the correspondence. This I did not think proper to do; and so the correspondence ended. It will be seen that I took the same ground, in respect to coarse cottons, in the first speech which I made in Congress.

"About the year 1820, I was elected a member of the Massachusetts Legislature, for Boston, and at intervals for several years. At this time, party-spirit ran very low; and at last, under the administration of Mr. Monroe, may be fairly said to have died out. With a view to sustain John Quincy Adams for the Presidency, a final amalgamation of parties took place. I was present at the last caucus of the Federal members of the Legislature, at which the union was agreed to, which was consummated by the election of Levi Lincoln as Governor. I well recollect the first union caucus at the Exchange Coffee House, when it was amusing to see William Sullivan and Benjamin Russell harmonize with Major Melville and Ebenezer Clough. This harmony was somewhat disturbed by a new party, at first known as the Crawford party, afterward resolved into the all-powerful Jackson party. My first speech in public was in opposition to a specific tax on insurance-companies. I was for

several years Chairman of the Committee of Finance, whose most important duty was the making of the tax-bill.

"In 1828, Mr. Calhoun, of Springfield, introduced a resolution approving the protective system, and moved a very early day for its consideration. I requested a later one; but, expecting I should oppose it, he declined. A friend, however, wishing to give me a chance to speak upon it, got a reconsideration carried. The speech which I made was any thing but an ultra one, and was very generally approved. In 1830, it was proposed to me to stand as candidate for Congress. I hesitated a good deal before I consented; which I did eventually, and was elected after a close contest. My competitor was Henry Lee, Esq.; and the election turned upon free trade or the protective principle. I took my seat in the Twenty-second Congress, December, 1831. Mr. Stevenson was chosen Speaker, and, in the appointment of the committees, placed me on that of Invalid Pensions. Considering that I was the representative of a greater commercial interest than any other individual in the House, and withal a practical merchant, this appointment could be considered in no other light than a spiteful revenge upon the city of Boston for having disappointed the administration in the choice of the representative. I took lodgings at Gadsby's, in company with Mr. Webster; each of us having one of the front parlors, in which we took our meals together every alternate week. At an early day in the session, Mr. Bouldin, of Virginia, introduced a resolution of inquiry as to the nature of the minimums recognized in our revenue-laws. A sort of desultory debate, during the morning hour, had gone on for several weeks; when it occurred to me as an occasion on which I might make a short speech. On mentioning it to Mr. Webster, he encouraged me to do so, and put me in the way of getting the information which I wanted. The subject came up again on the 21st of January, when Mr. McDuffie made a most strenuous appeal against further debate on a mere question of inquiry; but, being prepared, I did not choose to let the opportunity go by. I undertook to show that South Carolina was the author of the system of minimums, which was only another name for specific

duties, and a system capable of defence. It was introduced by Mr. Lowndes, as Chairman of the Committee of Ways and Means, in 1816. I took the occasion to state, that we could convert a pound of our cotton into the common cloth we were making for less money than the British could do. This being a fact well known to me, the statement was made advisedly, wishing the matter to stand on its true basis; but, being so contrary to the general impression, it quite alarmed some of the friends of the protective system, as I learned afterwards. My speech gave a new turn to the debate. It brought up McDuffie and Cambreling, and the debate occupied the whole day. The vote showed a majority of about twenty in favor of the protective system.

“The great business of that session was the framing a new tariff. The object was greatly to reduce the revenue, the debt being paid off, and, at the same time, to continue the principle of protecting American industry. There were several caucuses of the friends of protection. At one of them, Governor Davis and myself were appointed a committee to frame such a tariff. We accordingly framed one, making every thing free which did not interfere with our own productions. The subject was finally referred, in the House of Representatives, to the Committee on Manufactures, of which John Q. Adams was chairman. He applied to us for our project, which was substantially adopted in the tariff of 1832.

“The Committee of Ways and Means, of which Mr. McDuffie was chairman, made a report at an early period of the session, very elaborate and able; setting forth the theory, that all duties on imports were essentially and absolutely taxes upon the exports for which they were exchanged, better known as the forty-bale theory. As the argument was very plausible and specious, I determined to answer it, whenever the subject came up for discussion. With this view, I prepared an analysis of it with a good deal of care and time. When the subject of the tariff came up, Mr. McDuffie opened the discussion with an elaborate speech, especially addressed to me. He chose a place to deliver it directly by my side; and made it exceedingly personal, on the

ground that we were rival manufacturers, — one operating with hoes and spades, the other with spindles and shuttles. As his speech contained nothing which was not set forth in his report, I determined to follow him at once with my answer; and, with this view, endeavored to get the floor. It was given to Mr. Crawford, of Pennsylvania; but, when he got through, the next morning, I obtained it. It was on the 30th of May, 1832. It so happened that Mr. McDuffie was not in the House during the first half of my speech. I regretted it; but there was no help for it. I determined from the first to treat his theory with great contempt, preserving all due respect to himself. He showed a good deal of spiteful ill nature in a subsequent speech. I drew up a copy of my speech, which was printed by Gales and Seaton. Mr. McDuffie's was in the hands of Duff Greene. On inquiring of the latter the cause of the long delay in the appearance of the speech, he informed me that Mr. McDuffie found it hard to please himself; that, after setting it up, he had to take it down, and make an entire new copy. After this, I thought it proper to keep mine back till his had appeared. His speech, as printed, is much less personal to myself than as it was delivered. I received a good many compliments on this speech. Mr. McDuffie had always maintained, that, whilst his theory was much abused in the general, no one had undertaken to show the fallacy of his position. This was what I endeavored to do; with what success, it was for others to judge. A very elaborate review of it was published in the 'National Intelligencer,' altogether favorable. I never knew the writer. Since Mr. Webster's death, I have found amongst my papers the following very flattering note from him after reading this speech: —

Mr. Webster to N. Appleton, after reading his Speech, June, 1832.

DEAR SIR, — It appears to me you have completely refuted each and every of Mr. McDuffie's propositions. I see no vestige left of one of his arguments. You will see I have made a remark or two on the tenth, the fourteenth, and seventeenth pages. The speech is a model of close reasoning on an abstruse subject.

Yours truly,

D. WEBSTER.

MR. APPLETON.

"I have long since been of opinion that this South-Carolina theory was only pretence. It was thought a convenient cover to what has continued their favorite idea, — the separation of the Slave States from the rest of the Union.

"The renewal of the charter of the Bank of the United States was one of the exciting topics of this session of Congress. The first question was on the reference of the subject, as mentioned in the President's Message. The friends of the bank proposed referring it to the Committee of Ways and Means; those opposed to it, to a Special Committee. I was desirous to introduce several amendments, and was in favor of the Special Committee; but it soon became apparent that the whole struggle was, bank or no bank. No one seemed to trouble himself much about its character. Its friends took every thing from Mr. Biddle. His *ipse dixit* was law and gospel with them. My faith in Mr. Biddle had at that time been materially shaken; and I accordingly laid on the table, and had printed, some amendments, which I intended at the proper time to offer to the bill. But the bill which had passed the Senate was delayed to the latest moment of the session, in consequence of a Committee of Examination having been sent to Philadelphia. The cholera had broken out in New York. It was believed, that if the bill was referred to the Committee of the Whole, and subjected to amendment, it would be lost. It was therefore decided by its friends to avoid going into committee, but to pass the bill exactly as it came from the Senate. I was therefore obliged to abandon my design, or put myself in a hopeless opposition to all my friends; which I did not choose to do. Mr. Clay made a forcible appeal to me, considering that the fate of the Whig cause depended on passing the measure. He said, with an oath, 'Should Jackson veto it, I will veto him!' He was mistaken: Jackson did veto it, but was not himself vetoed. On my return from Congress, I found New York a deserted city, on account of the cholera. On coming into Broadway from the Battery, all was silent as death; not a person to be seen. On reaching Bunker's Hotel, the only person visible was a member of Congress from Connecticut; like myself, on his way home.

"On my return to Congress, at the second session (December, 1832), South Carolina was in a state of semi-rebellion. General Jackson, by his admirable proclamation (written by Mr. Livingston), had dealt her a sort of death-blow.

"At the same time, in his message and in the report of the Secretary of the Treasury, the ground was taken, that the tariff must be reduced. The reason assigned was, that it would produce too much revenue; the ground assumed being, that, at the former session, Congress had not carried out the recommendation of the Executive in this particular. It is true, the House had called on Mr. McLane, the Secretary of the Treasury, for his project of a bill; which he furnished, and which was adopted with certain modifications and alterations. I was under the impression, that the reductions which we had made in his bill were as great, or greater than our additions. I was therefore much gratified, in making an examination into this matter, to find, that, so far from the statement of the Executive being true, we had actually made reductions in the duties, on the basis assumed (the import of 1831), of a million of dollars beyond those presented in the bill of Mr. McLane, the Secretary of the Treasury. The Committee of Ways and Means reported a bill to reduce the duties, in conformity with the Presidential recommendation (called Verplanck's Bill). On this bill I felt it my duty to make a speech; which I accordingly did on the 23d of January, 1833, in which I dwelt pretty decidedly on the fact, that the assertion of the President, that we had not carried out the views of the Secretary in respect to the reduction of the revenue, was not correct, with the proof of it exhibited in figures. I afterward introduced a resolution, calling on the Secretary to show how he came to the result which he had stated. His answer did not come in till near the close of the session, and was not printed until all the measures were completed. He was, however, compelled to admit, that our bill reduced the duties more than the one he sent us. All this was accompanied with a very wry face, and the attempt to bring in new elements of calculation.

"In the course of my speech, I took the bold measure of introducing an exhibition of the cotton manufacture, which I had

reason to believe had a very good effect. In the mean time, Mr. Clay had brought forward his Compromise Bill; reducing the duties gradually until 1842. On his arrival at Washington, he had consulted Governor Davis and myself, urging our co-operation in the measure; but, as we viewed it an abandonment of the principle of protection, we refused to do so. He brought it forward, nevertheless. Verplank's Bill labored very hard: and the administration, at length despairing of carrying it, decided in caucus to adopt Mr. Clay's Compromise Bill; which was accordingly introduced, and carried through both Houses, almost without debate.

"My wife was suffering from a complaint of the lungs. Dr. Warren was of opinion that she would doubtless hold out during the winter, and promised to advise me in time of any alarming change. Early in February, I received such a letter, and returned to Boston in great haste, but, alas! too late. She died on the 10th,—the day before my arrival. I returned to Washington, at the urgent request of some of my friends, a short time before the close of the session.

"In 1842, Robert C. Winthrop was the member of the House of Representatives from the District of Suffolk. In May, he resigned his seat in consequence of the illness and impending death of his wife. A successor must be appointed on the instant. The public looked to either Abbott Lawrence or myself to fill the vacancy. Mr. Lawrence was appointed commissioner, on the part of Massachusetts, to settle the Maine boundary question with Lord Ashburton: so that I found myself under an almost unavoidable necessity of consenting to take the place; which I did very reluctantly, and took my seat in the Twenty-seventh Congress on the 9th of June. The tariff was again the chief subject of interest. Mr. Clay's compromise had run out on the 1st of July; and it was a question, whether any duties whatever could be legally collected. Matters were in a very complicated state, in consequence of the quarrel between President Tyler and his own party, the Whigs. Again I felt bound to make a speech on the tariff; so that, in the three sessions in which I was a member of Congress, I was called on to make

three speeches on the tariff, on three different bills. Finally, with extreme difficulty, the tariff of 1842 was carried. After the close of the session, I resigned my seat in Congress, in conformity with my own wishes, and also to make room for the return of Mr. Winthrop, the death of whose wife had taken place in the mean time. During my residence at Washington, I took the place of Mr. Winthrop at Mr. Birth's, with Messrs. Granger, Kennedy, and Saltonstall,—a most agreeable party. Mr. Fillmore was chairman of the Committee of Ways and Means; and, as I was invited to be present at several of their meetings, I became quite intimate with him. The manner in which he discharged the office of chairman of the Committee of Ways and Means showed great resources and much tact. He won my entire esteem and respect."

But the subject of the tariff is by no means the only one on which Mr. Appleton has written and spoken with unsurpassed ability. His attention was early called to the banking system of Massachusetts, and to the currency of the United States; and he kept an intelligent and vigilant eye upon them both, to the end of his life. He was ever ready with suggestions, as prudent as they were prompt, for remedying the embarrassments or averting the disasters to which a paper circulation is so peculiarly liable; and few men have done more than he has done towards sustaining public credit, and reviving public confidence, in those seasons of pressure and panic by which the speculating spirit of our country has been so often overtaken. Rarely, indeed, has such a season occurred, without calling forth from him a letter, a newspaper article or series of articles, a speech or an essay, which has given the lead and direction to public sentiment, far beyond the limits of the commu-

nity to which it was immediately addressed. He had a peculiar faculty of disentangling the intricacies of a financial or commercial question, and of presenting it in a form intelligible to the common mind. In this respect, among the men of the last half-century, he was only second, if second at all, to the late Mr. Albert Gallatin, with many of whose views he sympathized, and with whom he shared the enviable distinction of having recalled the commercial and banking community to a sense of what was just and honest, in many an hour when they were tempted to seek relief from embarrassment by the postponement of acknowledged obligations. The key to his whole policy, on questions of finance and currency, was the stern integrity of his own character; and he demanded, of those who managed the banking institutions of the land, only the same strictness in the fulfilment of engagements which he ever exhibited in his own individual transactions. His principal essay on the currency, as published in 1841, and republished with additions in 1857, is almost worthy of being studied in the schools, as an elementary manual on this seemingly difficult subject, which it simplifies to the level of the most ordinary comprehension. There are those among us who well remember the attention it excited at Washington, among public men from the South as well as the North, when it was first received there, at a moment of great financial perplexity; and the astonishment which was expressed, that a little plain, practical, unpretending common sense and common honesty had dispelled so many of the seeming mysteries of currency and exchange.

We have seen, in our last citation, that Mr. Appleton early distrusted the policy and principles of the late Mr. Biddle, and had some pretty independent views in regard to Mr. Biddle's Bank. We shall see more of this in the account of his relations to this question of banks and currency, as given in the extracts from his Autobiography, with which we now proceed:—

“The establishment of country banks in Massachusetts commenced about the year 1800. As their bills found a general circulation, the business was profitable, and the increase of country banks was rapid. As the bills accumulated in Boston, something must be done with them. At one time, the Boston banks received them; but the sending them home for payment was very unpopular. A nondescript association, called the Boston Exchange Office, was chartered, with a capital consisting of ‘current bank-bills,’ and authorized to receive deposits and make discounts in that currency: but the brokers would send home the bills of the most accessible banks, and the discount on country-bank notes; or, in the language of the day, the premium on Boston money continued to increase. A lawyer of Boston, named Andrew Dexter, undertook a tremendous speculation, — no less than the control of the circulating medium of New England. He obtained the control of the Boston Exchange Office; of a number of distant country banks; of the Berkshire, at Pittsfield; the Bangor, at Bangor; and especially the Farmers’ Exchange, in Rhode Island. But, by an act of consummate folly, he invested the funds they placed within his control in an enormous building, known by the name of the Boston Exchange. He and all the country banks became pressed for means. The banks threw every obstacle in the way of payment of their bills, giving drafts on their agents at longer and longer time, until it reached three months, and the discount increased until it reached five per cent. At the same time, these bills continued to be received in payment in the country trade at par. Under these circumstances, there was a general disposition to resist so great

an abuse. I undertook to form a plan for putting an end to it. At this time (1808), there was no penalty on the banks of Massachusetts for delay of payment, except simple interest and the costs of suit. The only power of coercion consisted in multiplying suits. I obtained a subscription of a hundred dollars each, from one hundred individuals and firms; which fund was placed in the hands of William Cochran, a broker, for management. We addressed a circular, which I drew up, addressed to all the country banks, informing them of our determination to put an end to the system of evasion and delay by legal means. The first call was on the Northampton Bank, which had lately gone into new hands; who were putting out their bills freely, with a view of playing the non-payment game. They began paying in fourpence-halfpennies. The agent employed, Lewis Tappan, was instructed to go on counting the money tendered him, but to inform the cashier, that, if they turned him out of the bank till he was ready to go, he should bring separate suits in behalf of all the parties interested in the several demands which he made; and so on, from day to day. After holding out until a late hour, the bank finally gave in, and gave a draft at a few days' sight on the agent in Boston. No other bank thought proper to attempt resistance. Dexter's banks all fell into discredit, and ceased to have any currency.

"A system of most barefaced fraud was discovered in connection with the Farmers' Exchange Bank, which compelled Mr. Dexter to leave the State. A most violent paralysis and crisis followed in reference to the circulation of country-bank notes. Nearly all the country banks, having considerable circulation, stopped payment; but those which were really solvent soon acquired the means of resumption. Some finally liquidated in full; but a great number never paid any thing. The result of this lesson was a correction of public opinion in relation to bank circulation. The general sympathy for country banks ceased: they were left to stand on their own merits. During this period, there was a good deal of discussion in the newspapers, in which I took a part.

"In the course of the war with England in 1814, the banks

of New York stopped payment, or, in the language of the day, *suspended* payment in specie; and all the South and West followed suit. At this time, the banks in Boston were very rich in specie. Neither the banks nor the citizens had gone into the war loans, as both had done in New York and Philadelphia; nor had her merchants taken much part in the wild speculations in merchandise which prevailed in other parts of the country. The question arose, whether the Boston banks should or could continue to pay specie whilst all the rest of the country had suspended. Public opinion was a good deal divided.

"Some very intelligent men took the ground, that it was absurd for Boston to think of paying specie whilst the banks of all the rest of the country had suspended. I was a director of the Boston Bank, and took ground with those who held that it was a mistake and a disgrace to suspend, except under a dire necessity; that not only did no such necessity exist, but the fact that all the other banks of the country were in a state of suspension made it easier for those of Boston to continue to pay specie; inasmuch as specie, like every thing else, was sure to flow where it was in use, or wanted, rather than to places where it had ceased to have any occupation. The event justified these views. Boston maintained her integrity in her currency, not only during the war, but during the long period of Southern suspension after the peace. The discount on the currency of Philadelphia reached twenty per cent. Boston felt no pressure on her money-market until the preparations for resumption after the establishment of the United-States Bank. She escaped, in a great measure, the terrible revulsion ever resulting from the restoration of a sound currency, after the existence, for a long period, of a depreciated one. This was fully developed in 1819. Boston suffered from her connection with New York and the South, but scarcely at all from her operations at home. During this period of suspension, I wrote frequently in the newspapers, especially a series of three or four numbers in the daily 'Advertiser,' under the head, 'Will the Southern Banks again pay Specie?' also a review of the Report of the Secretary of the Treasury (Mr. Dallas), severely censuring his action after the

peace. I also wrote a review of Mr. Crawford's Report in 1820, in which he made several mistakes in relation to the currency of New England during the period of Southern suspension.

"In 1834, the country was deeply excited by the warfare carried on by General Jackson against the United-States Bank. At a public meeting in Boston, a committee was appointed to proceed to Washington with a memorial to Congress on the subject, of which I was appointed chairman. Nothing could have surprised me more than this appointment, as it was well known that I was of opinion that Mr. Biddle had already carried the system of contraction farther than was necessary. I was, therefore, disposed to decline the appointment. I learned, however, that I had been nominated for this office because of this opinion; and I finally concluded to accept it. On arriving in New York, I, with some others of the committee, called upon James G. King and Mr. Gallatin, who were members of a New-York Committee. We found the dissatisfaction with Mr. Biddle very ripe, and that they had given him an ultimatum, which he must accept, or be denounced at the adjourned public meeting as unnecessarily pressing upon the mercantile community. Mr. Gallatin read to us a report which he had prepared to meet the contingency. The meeting was to be held the next day. In the evening, who should appear at Bunker's, where the committee stopped, but Mr. Biddle himself! In the course of the evening, Mr. P. T. Jackson, Mr. Henry Lee, and myself, invited him to a private conference, at which we told him some home truths, — that our community ought not and would not sustain him in further pressure, which he very well knew was not necessary for the safety of the bank, and in which his whole object was to coerce a charter through the distresses of the mercantile community. He listened to us; but we could get very little from him but the merest commonplace. Soon after our arrival at Washington, I received, as I had previously arranged, a letter from Mr. King, saying that Mr. Biddle had yielded to the requisitions of the New-York Committee. Of course, the pressure of the money-market would, in a great measure, cease.

This intelligence was not altogether agreeable to all my political friends, so entirely does a political object override all other considerations. The arrangement with the New-York banks was only for a month; at the end of which, Mr. Biddle was reckless enough to put an end to it, and renew the pressure with even greater violence than before. But Congress adjourned soon after; when he gave up the chase, changed his tune, and increased the discounts of the bank some ten millions in the course of six months: —

1st September, 1834	\$47,059,000
1st June, 1835	63,649,000

“In 1831, I published a pamphlet, with the title ‘An Examination of the Banking System of Massachusetts, in Reference to the Renewal of the Bank Charters.’ This was published without my name; but, as I freely avowed the authorship, it was generally understood. As it objected to granting the right of circulation to banks with capitals of less than five hundred thousand dollars, it was opposed by the country-bank interest, and called forth several pamphlets in answer. It took the ground, that the tax should apply wholly and only to the right of circulation. ‘The tax can only be justified as the grant of a privilege under a right especially belonging to the State, that of regulating the currency;’ not the legal currency transferred to the United States, but of bank notes, which may be considered a conventional currency, depending wholly on the choice or pleasure of the receiver. My object in publishing this pamphlet was to put forward certain leading principles which I deemed correct, rather than any expectation of producing an actual change in the legislation of Massachusetts at that time.

“In 1835–6, a very remarkable state of over-trade existed; the immediate cause of it being an arrangement by which certain London houses allowed themselves to be drawn upon by houses in America, without funds in hand, but with an understanding, that, before the maturity of the bills so drawn, other bills, by other parties, should be substituted for those falling due.

"Whilst these bills could be discounted by the Bank of England, all went smoothly; and the system went on until the amount of the accommodation-bills, drawn upon nothing, became excessive. The Bank of England became alarmed at the amount, and refused to discount them.

"The failure of several large houses took place; others could only be saved by large remittances from America. This demand produced a call on the banks for specie; a violent pressure upon the money-market took place; a number of failures wholly unprecedented occurred in New York; the panic was tremendous; and at length, after a struggle of a month, the banks of New York yielded to the storm, and suspended specie payments, about the 1st of April, 1837. The banks throughout the whole country followed suit with great joy and alacrity. I was in Europe at the time, but returned in September, 1837. The banks of New York had got from the Legislature an extension of this suspension for a year; which expired in May, 1838. A call was made for a convention to meet in New York in April, to consider the subject of a general resumption. In November, 1837, I commenced a series of four numbers in the 'Boston Daily Advertiser,' advocating an early resumption of specie payments, and the sending delegates to the proposed convention at New York. The idea of resumption caused great alarm, and met with much opposition; but it was agreed to send delegates to the convention. I was, however, carefully excluded, as too radical in favor of resumption. Philadelphia, under the influence of Mr. Biddle, was utterly opposed to resumption, and persuaded Boston to go with her. Under the influence of Mr. Gallatin and Mr. Ward (of Prime, Ward, and King), the Legislature of New York was prevented granting a further extension; and the banks of New York actually resumed about the 1st of May. To assist the resumption, at the suggestion of James G. King, then in England, the Bank of England sent out by him a million of sovereigns, to be remitted for in bills of exchange then below par; under the influence of which, both Boston and Philadelphia resumed soon after.

"I was in Philadelphia about this time, and had a conversation with Mr. Biddle, in the course of which I was exceedingly disgusted with the views which he expressed. There can be but little doubt that he contemplated compelling the New-York banks again to suspend, and was in fact defeated by this timely supply of gold from the Bank of England.

"In 1840, Mr. Clay determined to bring forward his project for another Bank of the United States. I published, with my name, a pamphlet on 'Currency and Banking,' one motive of which was to show the danger from an institution of so great power. I had become satisfied, from my own observation, that it was a power too great to be intrusted to any one man.

"In 1839 (October), the Bank of the United States, acting under its Pennsylvania charter, again suspended payment, and proved desperately insolvent; carrying with it the Philadelphia banks, who foolishly involved themselves in its fortunes, from which they were only relieved by a large loan from Boston and New York. In arranging this loan, I took a leading and active part. Philadelphia did resume in consequence, on the 15th of January, 1841; but the Bank of the United States broke down after ten days' trial. The other banks of Philadelphia again followed suit, and did not finally resume until —.

"During all this period, from 1837, I was frequently writing for the newspapers in Boston and Philadelphia, urging upon Philadelphia and the South to restore their currency."

The few remaining pages of the "Sketches of Autobiography" are almost wholly taken up with the account of another and more extensive tour in Europe, and with the domestic incidents by which it was occasioned and attended. There is nothing of particular interest or value in it, except inasmuch as it is eminently characteristic of the writer. It gives facts and names and dates, without the slightest attempt to describe the wonders of nature or of art which came

within his view, or to express the emotions which they were calculated to excite. It was enough, for his own satisfaction, to say that he saw such places and persons and things. He had never studied the style of a word-painter; and the impressions which he received were probably rather practical than poetical. On his arrival at Geneva, he says only, "From thence made an excursion to Chamouni, and back to Geneva: was much interested in this excursion." Mont Blanc was certainly never dismissed with a simpler or less rapturous allusion. We have no idea that the grandeur of the Alps was lost upon him, or that he failed to appreciate the sublimity of the scenes which he had witnessed; but we may presently have reason for thinking, that the peculiar interest of the excursion was derived from his finding marks upon the rocks in that region, which concurred with some observations previously made by him at home.

More gratifying to him, however, we doubt not, than this view of "the monarch of mountains," or even than the presentation to the monarch of France, and the ball at the Tuileries, which he afterwards mentions, was the visit with which he concludes the account, as if it were the very climax of the whole tour, — the visit to the county of Suffolk, to the parishes of Great and Little Waldingfield, and to Holbrooke Hall, where his progenitors had resided in years long past. As he entered that old manor-house, and surveyed the ancestral seat, and then looked on the "beautiful genealogy" which his good friend Mr. Almack had so kindly prepared for him, he may well have experienced some emotions of pride, that the family tree had suffered

nothing by transplantation; that "leaves and stalks, *vert*," had proved to be something more than a mere token of heraldry; and that the name of Appleton was (to say the least) as worthily distinguished at that moment, in his own person and in those immediately connected with him, as it had been during any of the six or seven generations in which it had either worn a title of knighthood, or been associated with the gentry of England. That old Suffolk soil must have contained its full share of English grit; and the stock which came from it has, in this instance certainly, proved hardy and rugged enough to repel all ideas of American degeneracy. But the "Sketches" must once more speak for themselves: —

"I declined being a candidate for re-election to the Twenty-third Congress, because political life was not much to my taste, but particularly as inconsistent to my duty to my family as it was then situated. In 1835 my son Charles made a tour to the South, on account of his health; but returned in a worse state than he left, and, in the course of the summer, fell a victim to his disease. One of my daughters was in delicate health, and I was advised by Dr. Warren to take a voyage to Europe. Accordingly, in November, with my son Thomas and two daughters, I embarked at New York for Havre, where we arrived about the middle of December, the thermometer about zero, which continued till we reached Paris. I was very happy to meet at Havre my old friend J. B. Greene, whom I had not seen for many years, and who gave us a most cordial reception. After a few weeks at Paris, we proceeded to Italy by way of Lyons, Marseilles, and the Corniche, or maritime Alp road. At Marseilles we passed two or three days; dined with the brothers Rabout, who lived with their interesting mother, whose husband and their father had fallen a sacrifice to the revolution. We also became acquainted with Mrs. Fitch, and Mr. Oxnard's

interesting family. We spent a day at Toulon, and at Genoa dined with Mr. Campbell, the American Consul, who informed me that a gentleman was in the city with a commission for the same office, but who, after consulting him, concluded to keep it in his pocket. We admired the old palaces, full of old pictures, and the quaint old narrow streets, in which was barely room for a jackass with panniers to pass. By Carrara and Pisa and Florence, we went to Sienna, where we visited the famous gallery of old pictures, and other curiosities of old times. At Rome we passed many weeks; visited all the galleries, churches, &c., Tivoli and Tusculum. We remained through the ceremonies of Holy Week, which should close with the illumination of St. Peter's and the Girandola from the Castle of St. Angelo; but, owing to bad weather, these were postponed from day to day for a week, when the idea was abandoned. We then set out for Naples, where we passed our time most agreeably, visiting Pompeii, Vesuvius, Pæstum, Baïæ, &c. The ruins of Pompeii and the Museum are the most interesting objects to be found anywhere. Here we met Mr. and Mrs. Sidney Brooks; and from Naples we took steamboat for Leghorn, where we spent two or three days, and enjoyed some musical parties at Mr. Grant's. Hence to Bologna, Modena, Parma, Mantua, Verona. The alarming accounts of the cholera prevented our going to Venice, to our great regret; but we proceeded to Milan and Como, where we made an excursion up the Lake, then to Lake Maggiore and the Simplon to Brigg, and down the Rhone to Geneva. From thence we made an excursion to Chamouni, and back to Geneva: I was much interested in this excursion. We proceeded down the Lake to Lausanne; thence to Neufchâtel, Morat, Berne by Thun, to Interlachen; and made an excursion over the Col—— to the Faulhorn, where we slept at the temporary house, the highest sleeping-place in Europe; thence by Brientz to Interlachen; and thence to Berne, Lucerne, and Zürich. One of our party was William Appleton, son of William Appleton; a sweet youth, who, for some time, had been suffering from a disease of the lungs. We reached Schaffhausen, when he was unable to proceed further. We were at the

hotel, where he had every attention. He lingered on for some weeks, when, after giving particular directions for the disposition of his collections, he peacefully and sweetly closed his eyes at the age of twenty.

"It so happened that the Rev. J. M. (afterward Bishop) Wainwright arrived at the hotel the day after his death, and consented to stay, and perform the funeral service. The keeper of the hotel informed me, that several gentlemen of the place were desirous of attending the funeral; to which, of course, I assented. There was quite a procession to the burying-ground, where I obtained a lot in perpetuity, and afterward sent a monumental stone from Paris.

"We afterward proceeded to Friburg, Strasburg, Baden-Baden, Heidelberg, Darmstadt, Frankfort, to Mayence. Here both my daughters were attacked with what the physician called a 'gastric fever,' by which we were detained six weeks. During this period, Thomas and myself made excursions to the chateau of Prince Metternich, at Johannisburg, and to Wisbaden. On the 2d November, with snow on the ground, we left Mayence for Paris, *viâ* Metz, Chalons, Rheims, Meaux, where we found apartments engaged for us at Meurice's. We left them, however, for very handsome apartments, Rue de Rivoli 10 *bis*, which I took for the winter. They were the property of a French officer, who married the widow of a rich Marseilles merchant; but who, belonging to the other party, was out of place under Louis Philippe.

"During the winter, we attended the various public amusements of Paris, saw all the sights, attended the weekly soirées of General Cass, were presented at court, and accepted invitations to the grand ball at the Tuileries, — a very splendid affair. We frequently attended Mr. Walsh's soirées, where were collected many of the savans.

"About April 20, we left Paris for Brussels. There had been a heavy snow-storm, and we met with many drifts on the sides of the road. We passed two or three days at Brussels, visited Waterloo, but were prevented reaching Hougomont by the road being blocked up with snow. Proceeding to Rotterdam, Am-

sterdam, and the Hague, we took the steamer at Rotterdam for London, where we arrived on the 2d May: the passage up the Thames was very interesting. We took rooms at the Brunswick Hotel, Jermyn Street; attended Epsom races, the Opera, &c.; made an excursion to Waldingfield; called on the rector of Great Waldingfield, who handed me the beautiful genealogy of the Appletons, drawn by Mr. Almack, now in my possession; visited both churches and Holbrooke Hall with much interest."

We come, at last, to the passage which forms the abrupt conclusion of these fragmentary sketches, and which at once betrays the source of that peculiar gratification which Mr. Appleton derived from his Alpine tour, and exhibits him in connection with subjects of investigation quite apart from those in which we have hitherto found him engaged:—

"My attention was early called to the subject of geology, to which I was attracted by the articles in the different reviews. I had been accidentally led to notice the striated surface of rocks, where they had not been acted upon by the atmosphere. For several years, I carried with me, in travelling, a pocket compass, and made my observations wherever I had opportunity. I ascertained that the same state of the rock surfaces existed from Canada to the District of Columbia, with grooves all running in the same direction. I was greatly surprised that this fact had never been noticed by geologists, which induced me to write an article to call their attention to it. I offered it to a work then published at Cambridge, edited by Dr. Webster and Mr. Treadwell: they objected to publish it, as indulging too much in theory, unless I would affix my name to it, to which they urged me. To this I would not consent, and sent it to Mr. Silliman, who published it in his journal of October, 1826. I only considered it important for its facts, which have since been the subject of great interest, and given rise to much discussion.

"It so happened, that in driving one day with Captain Basil Hall, and stopping to examine a geological formation, in the course of conversation, he asked me if I was the author of an article in Silliman's Journal on this subject. On my answering that I was, he stated to me, that his attention to it had been called by his father, Sir James Hall, who had published an article in the Edinburgh Philosophical Transactions, describing very nearly the same state of things, on one of the mountains of Scotland. This was the first intimation which I had, that these important phenomena had been observed anywhere at that time. The subject has been since very fully gone into by Dr. Jackson, in his Geology of Maine; and Professor Hitchcock, in that of Massachusetts. The theories of glaciers and icebergs have been introduced to account for their striæ with the accompanying alluvium, but with little satisfaction to a careful observer, as I think.

"When in Switzerland, I noticed there some marks on the rocks near the tops of some of the mountains, as on the Col de Forclaz, near the glacier de Rosenloui and on the entrance into Chamouni, in situations directly the reverse of the ravines, into which alone glaciers can act."

Mr. Appleton had evidently cultivated those habits of close observation and careful discrimination which belong to the successful pursuit of natural science; and, for one who studied it only as an amateur, had become no mean proficient in geology. The superficial scratches which he had observed on the rocks, and to which he had so early called the attention of others, have given rise to a theory, which has since been much contested among scientific men. But he had decided opinions on this, as he had on almost all other questions which he undertook to examine at all; and he had a decided manner of expressing those opinions. He did not seek controversy, perhaps; but he rather relished

it, and certainly never shrunk from it. Nor did he ever fail to conduct it with ability, good temper, and unyielding persistency. He seemed always ready, and always able, to give a reason for the faith that was in him, whether that faith related to matters commercial or political, to questions of morals or of science, to things temporal or to things eternal. Within a few years of his death, a casual correspondence with an Episcopal clergyman in England led him into an elaborate discussion of the doctrines of "Original Sin and the Trinity," in which he maintained the views which had been commended to him from the lips of the eloquent Channing, and his able and devoted successor, in the church of which he himself was a faithful and conscientious member. The correspondence reached through twelve long letters, six on each side, — making up a pamphlet of fifty pages; and even those who may differ most widely from his conclusions cannot fail to be struck with the candor, the research, the precision, and the power which he displayed in the argument.

And yet, while Mr. Appleton has left so many evidences of distinguished success in so many varied departments of discussion and controversy, both oral and written, one might hesitate about calling him either a great writer or a great debater. There are, at least, two sorts of persons in the world, — those who cannot tell half they know, and those who can tell a great deal more than they know. The latter sort are generally classed among great debaters and great writers. Mr. Appleton was eminently one of the former class.

He had not the gift of fluent speech. He did not converse easily. He did not communicate with facility or with fulness. "His tongue" (to use the familiar phrase of the Psalmist) was not "the pen of a ready writer." Nor was his pen (if we may reverse that phrase) the tongue of a ready speaker. He made a few invaluable speeches in Congress; but they were laboriously prepared, and gained nothing by the delivery. He wrote, as we have seen, many powerful essays, and a vast number of excellent articles in the public journals: but a dry, terse, unimaginative style characterized them all, without illustration or amplification; and we are continually led to say, as we read them, "What a reserve of information and argument he had! — how much more he knew and felt than he was able to express!" Even his style, however, as far as it went, was a remarkable one, — clear, concise, sententious, pungent, conveying his meaning with marvellous exactness, and singularly adapted to the topics which he treated. Few college-bred men have written purer English. But it was the style of an acute, independent, and often profound thinker, rather than of an attractive writer or an impressive speaker. His productions seem often, indeed, more like the notes of a speech, or the heads of an argument, than like the argument or the speech itself. And so they often were to others, if not to himself. If those who served in Congress, either with him or during his time, from the greatest to the least, could tell from what magazines or reservoirs of fact, experience, and practical knowledge, they derived many of their most effective materials

for some of those efforts which won the admiration of their constituents and the country, they would say that it was from the private correspondence, the personal communication, or the published essays of Mr. Nathan Appleton. Nor can we fail to reflect, now that he is no more, what a resource to the National Administration his experience, his sagacity, and his practical wisdom would have been at this moment, in aiding it to provide for the financial exigencies which have resulted from the deplorable conflict into which it has been precipitated by the madness of the Southern States.

He lived long enough to see the commencement of this conflict, and to realize the difficulties, dangers, and momentous issues, which it involved. Conservative and national in all his views, he had always deprecated sectional agitations and contentions, and had combated the course of the Free-soil and Antislavery parties of the North, both by his vote and by his pen; but he had no sympathy with secessionists or disunionists anywhere. His last pamphlet, published as lately as March, 1860, was a letter to his friend Mr. Rives, of Virginia, protesting against the extreme views of the South as well as of the North. And, after the first blow had been struck by Carolina, he knew nothing but his country's cause; and cordially concurred with his political friends in the doctrine, that the Government must be supported, the flag defended, and the authority of the Constitution re-asserted, if possible, over the whole Union. Within a week before his death, he gave his name and a handsome contribution to the reception of a regiment from his native State of

New Hampshire, and regretted that he could not be present to welcome them personally, as they marched through Boston on their way to the defence of the Capital. Yet he regarded the insurrection of the Southern States more in sorrow than in anger, and would have been one of the last to countenance or to encourage the idea of prosecuting the war in any spirit of hatred or revenge, or with any view either of emancipating the slave or subjugating his master.

But the clouds which had gathered so thickly over the country were not the only ones which darkened the closing scenes of the career which has thus been sketched. While the little remnant of his life was to be counted by days, and almost by hours, and while he was awaiting his final summons with calm resignation to the Divine Will, a sudden and most distressing domestic calamity was announced to him, — resulting, after a brief interval, in the death of a beloved daughter, who, in the pride of her matronly beauty, and in the enjoyment of every advantage and distinction which could render her life dear to herself or enviable to others, had fallen a victim to an accident which thrilled the heart of the whole community. “She has gone but a little while before me” was his only response to these startling tidings; and he braced himself up anew to endure whatever his heavenly Father had appointed for him. On the day of her funeral at Cambridge, he rose, and dressed himself in a full suit of mourning, and sat in his accustomed arm-chair, as if he were present (as he was in spirit) at the sad ceremonial. He listened with composure, soon afterwards, to a detailed recital,

at his own particular request, of all the circumstances connected with her death and burial, and then retired to his bed for the night. Before another sun had fully risen, his spirit had returned to God who gave it; and, on the third day following, his remains were borne to Mount Auburn, and laid beside the lovely form of his lamented child.

Mr. Appleton has himself referred, in the sketches which have been given, to the death of his first wife in 1833. She had borne him two sons and two daughters. The second son died, of consumption, in 1835. The eldest daughter, who had married a son of the late distinguished English statesman and philosopher, Sir James Mackintosh, and who resides with her husband and children in London, was unable to be with him at the time of his death. The second daughter, the wife of our accomplished and admirable poet, Longfellow, was sadly torn away, as we have seen, while her father was just waiting for his own release. But he had been most happily married again, in 1839, to an amiable and excellent person, by whom he had three other children, who, with their mother and his eldest son, were at hand to watch over his last hours, to sympathize with him under the terrible blow which had fallen upon him and them alike, and to attend him in those closing scenes, for which none less near and dear than wife and children can ever be sufficient.

It would be unjust to Mr. Appleton's character if the impression were to be left that he sunk under the blow which had thus unexpectedly fallen upon him. He had no nervous susceptibilities which exposed

him to be prematurely prostrated even by so sudden a shock. The wreaths of oak and ivy which were laid upon his coffin were just emblems of his qualities and career. He was eminently a man of courage and constancy, and had strength of will, and firmness of soul, for whatever event might betide him. But his own days had long been numbered, and the vital flame had so flickered in the socket before the blast of that terrible bereavement reached it, that it was rather a surprise that he had lived so long, than that he had died at last. "I am not afraid," was his reply to a friend who made some suggestion to him only a day or two before this domestic calamity occurred, — "to tell you the truth, I believe I am not afraid of any thing." One of the mottoes which has sometimes been associated with his family arms might peculiarly have been selected as his own motto; and the language in which it has come down to us was by no means unfamiliar to him, — *Ne cede malis, sed contra audentior ito*. If the first half of the line had been adopted in the spirit of a pun upon the family name, (as so many of the old mottoes were,) nothing could have been more applicable to himself personally than the latter half. Partly as the result of physical constitution, and partly as the result of the faith which he had cherished and cultivated through life, he was of a temper never to yield to adversities, but to bear up bravely against them to the end.*

* Another motto of the Appleton Family is *Malis fortiter obsta*. Both breathe the same spirit, and both involve the same play upon words.

Persistent courage and inflexible integrity were, indeed, the two leading elements of Mr. Appleton's character, and constituted the secrets of his great success. To these, more than to any thing else, he owed both his fortune and his fame. He displayed his boldness by embarking in untried enterprises, by advocating unpopular doctrines, by resisting popular prejudices, by confronting the most powerful and accomplished opponents in oral or written argument, and by shrinking from no controversy into which the independent expression of his opinions might lead him. His integrity was manifested, where all the world might read it, in the daily dealings of a long mercantile career, and in the principles which he inculcated in so many forms of moral, commercial, and financial discussion. There is nothing in his "Sketches of Autobiography" more true of himself than the following passage from his memoir of the late Abbott Lawrence, as prepared for this Society in 1856, and published in our Collections:—

"The merchant makes no claim to benevolence or patriotism as his ruling motive in trade: all he professes is absolute and undeviating justice. The morals of trade are of the strictest and purest character. It is not an uncommon opinion, that there is a laxity in the mercantile code, which looks with indulgence on what are called the tricks of trade. It is not so. Whilst the direct object of all trade is gain, individual benefit, not the slightest prevarication or deviation from truth is allowable. There is no class of men with whom the Christian rule, of doing to others what we expect or require in return, is more strictly demanded than amongst merchants. Mercantile honor is as delicate and fragile as that of a woman. It will not bear the slightest stain. The man in trade, who has been found to

equivocate or falter in his course, becomes a marked man. He is avoided. It is thus found, by experience, that integrity is almost as uniformly the accompaniment of success, as it always is of character."

It only remains for me to do an act of justice to Mr. Appleton's character, to which he seemed to attach particular importance, and which can best be performed by simply transcribing a memorandum of my own, made at the time. I had called to bid him good-bye before going to Europe, two or three years ago; and found him suffering severely from a racking cough, and hardly expecting to live until my return. After conversing for a few minutes on several topics, in presence of his family, he asked me to go with him into his little private library, where he said substantially as follows:—

"You know I have always told you, that I relied on you to look after my memory after I am gone, and to prepare some little biography or memoir of me, according to the custom of our Historical Society. I have arranged abundant materials, which you shall have at the right time. But there is one point of my character that I do not think the world is in the way of understanding. I have accumulated a large fortune, and people are liable to think that I have been peculiarly devoted to money-making. As I came to Boston a poor boy, this would be a natural inference. Yet nothing is more untrue. The truth is, when I had succeeded in laying up a moderate property, — say two hundred thousand dollars, — I was quite content, and intended to retire altogether from business. It was altogether accidental that I have ever gone further. I have explained something of this in my late pamphlet on the history of Lowell and the Cotton Manufacture. It was wholly accident that I went into that business; and the truth is, that my mind has always been devoted to many other things rather than money-

making. That has never been a passion with me, or ever a subject of much concern. Accident, and not effort, has made me a rich man."

Mr. Appleton need have had no such apprehensions as might seem to be implied in these remarks. Neither the employment of his time, his faculties, nor his fortune, had been that of a mere maker or hoarder or lover of money; and no such character could ever have been attached to him by the community in which he lived. The very investment of so large a part of his property in domestic manufactures had many of the best elements of charity; and the satisfaction which he derived from the success by which he was himself enriched, was not a little enhanced by the consideration, that he had been the means of affording employment to so great a number of operatives, of both sexes, who might otherwise have failed to obtain work and wages. But his mind was one of the last that could have contented itself with merely poring over his own day-book and ledger, much as he may have prized the virtues of the trial-balance. He was a person of large reading, diligent study, careful reflection, varied acquisition; whose published writings would alone be sufficient to show how little of his time and thought could have been taken up with any private, pecuniary ends of his own. Harvard University recognized his claims to the distinctions of literature by the honorary degrees of Master of Arts in 1844, and of Doctor of Laws in 1855. The American Academy of Arts and Sciences, the American Antiquarian Society, and other kindred associations, enrolled him among their domestic members; and the Archæological Institute of

Suffolk County, in Old England, placed his name on its foreign honorary list. He had, indeed, accumulated a great estate; but it had brought with it no canker of pride or avarice. He was a liberal, public-spirited gentleman, whose charity began at home, but did not end there; who made handsome provision for a hospitable household and a numerous family, without limiting his benevolence within the range of domestic obligations or personal ties. He was not ostentatious of his bounty, either in life or death; nor did he seek celebrity for his name by any single and signal endowment: but he never looked with indifference on the humane and philanthropic enterprises of the day, nor declined to unite in sustaining those institutions of education and science which are the glory of his time. His sense of justice and his distaste for display prevailed even here; and he preferred being known as "doing his share" in any public cause, to being remarked upon for extraordinary munificence.

The deep interest which he took in our own Society, during a membership of nearly thirty years, has been manifested by his punctual attendance at our meetings, by his frequent donations to our library, and by more than one most timely and liberal contribution to our treasury. His instrumentality was highly effective in our behalf as one of the committee by which our present building was secured to us; and still more as one of the executors of his late excellent brother (Mr. Samuel Appleton) in the establishment of our Publishing Fund, which bears that brother's name. His own name will be cherished in our memories among those

which have most adorned our rolls, and will henceforth have a conspicuous place in that list of illustrious Merchants, whose enterprise, integrity, and public spirit have made up so large a part of the best history of Boston.

Mr. APPLETON married, —

First, in 1806, Maria Theresa Gold, eldest daughter of Thomas Gold, Esq., of Pittsfield, who was born 7th November, 1786, and died 10th February, 1833.

Their children were, —

1. Thomas Gold, who was graduated at Harvard University in 1831.

2. Mary, who married Robert James Mackintosh, Esq., formerly Governor-General of the Leeward Islands, and son of the late Sir James Mackintosh, and has issue.

3. Charles Sedgwick, who died 25th October, 1835.

4. Fanny Elizabeth, who married Professor Henry Wadsworth Longfellow, and died (leaving issue) 10th July, 1861.

Mr. Appleton married, second, in 1839, Harriot Coffin Sumner, daughter of Jesse Sumner, Esq., of Boston. Their children are, —

1. William Sumner, who was graduated at Harvard University in 1860.

2. Harriot.

3. Nathan.

The following list of Mr. APPLETON'S WRITINGS is believed to comprise all which have been published in pamphlet form: —

An Examination of the Banking System of Massachusetts, in Reference to the Renewal of the Bank Charters. 1831; pp. 48.

Remarks on Mr. Bouldin's Resolution of Inquiry into the Nature of Minimum Duties. House of Representatives, Jan. 21, 1832; pp. 12.

- Speech in Reply to Mr. McDuffie, of South Carolina, on the Tariff. House of Representatives, May 30, 1832; pp. 24.
- Speech on the Bill to reduce and otherwise alter the Duties on Imports. House of Representatives, Jan. 23, 1833; pp. 31.
- Remarks on Currency and Banking; having Reference to the present Derangement of the Circulating Medium in the United States. 1841; pp. 48 (with Appendix, 73).
- Speech on the Tariff and Compromise Act, delivered in the House of Representatives, July 5, 1842; pp. 10.
- Labor: its Relations in Europe and the United States compared. 1844; pp. 16.
- Correspondence between Nathan Appleton and John G. Palfrey. 1846; pp. 20.
- What is a Revenue Standard? and a Review of Secretary Walker's Report on the Tariff. 1846; pp. 23.
- Correspondence between Nathan Appleton and John A. Lowell in Relation to the Early History of the City of Lowell. 1848; pp. 19.
- Memoir of Hon. Abbott Lawrence; prepared for the Massachusetts Historical Society. 1856; pp. 20.
- Remarks on Currency and Banking. Third edition. 1857; pp. 63.
- Introduction of Power-loom, and Origin of Lowell. 1858; pp. 36.
- The Doctrines of Original Sin and the Trinity; discussed in a Correspondence between a Clergyman of the Episcopal Church in England and a Layman of Boston, U. S. 1859; pp. 50.
- Letter to the Hon. William C. Rives, of Virginia, on Slavery and the Union. 1860; pp. 17.
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NOVEMBER MEETING.

A stated monthly meeting was held this day, Thursday, Nov. 14, at noon; the President, Hon. R. C. WINTHROP, in the chair.

Donations were announced from the Commonwealth of Massachusetts; the American Anti-slavery Society; Mr. William S. Appleton; Mr. George Arnold; Rev. Caleb D. Bradlee; John H. Bufford, Esq.; George Clasback, Esq.; Samuel Eliot, A. M.; Joseph Foster, Esq.; Lieutenant James M. Gilliss, United-States Navy; B. P. Johnson, Esq.; S. C. Newman, Esq.; C. B. Richardson, Esq.; J. Wingate Thornton, Esq.; S. B. Weld, Esq.; the Proprietors of the "New-York Illustrated News;" and from Messrs. Everett, Gray (H., jun.), Green, Hedge, Longfellow, Lothrop, Metcalf, Parker, Robbins (C.), Webb, and Winthrop, of the Society.

The President read letters from A. T. Goodman, Esq., of Cleveland, O.; and Rev. C. H. Brigham of Taunton, Mass., — the former presenting a medal, struck to commemorate the meeting of the Emperors of Russia and Austria at Leipsic, October, 1813; and the latter, a photographic copy of a military warrant, dated November, 1774. *Voted*, That the thanks of the Society be presented to both these gentlemen for their acceptable gifts.

Leonard Woods, D.D., President of Bowdoin College, was elected a Corresponding Member.

The Recording Secretary announced the decease of General William H. Sumner, a Resident Member of the Society; and, after brief and appropriate remarks upon

the public services of the deceased, offered the following vote, which was adopted; viz.:—

Voted, That Rev. Alonzo H. Quint be requested to prepare, according to the usage of the Society, a Memoir of General Sumner for a future volume of Proceedings.

Mr. ROBBINS (C.) communicated the following original letter from John Adams, which he had found in the midst of a file of letters from Aaron Burr to Hon. William Eustis, deposited in the Society's library several years ago. He stated that the letters of Burr in this collection were not particularly valuable. They had been examined at the time when they were deposited, and most of them were read; but, as they were found to relate chiefly to matters of a private nature, the file, which purported to contain only the letters of Burr himself, was placed in one of the cabinets appropriated to manuscripts. Having had occasion recently to refer to this correspondence, he had accidentally discovered the letter which he now laid before the Society.

QUINCY, May, 1792.

DEAR SIR,—The first thing I have to communicate to you must be an explanation of the date of my letter. The Legislature of Massachusetts, last winter, upon a petition of the North Parish in Braintree, separated it from the rest of the town, erected it into a new one, and gave it the name of Quincy. By this measure, you see they have deprived me of my title of "Duke of Braintree," and made it necessary that my friends should write me in future as an inhabitant of Quincy. So much for this.

Something that interests me much more is your interesting letter of the 12th of this month.

I should have been happy to have seen Mr. Pinckney before his departure, but more from individual curiosity than any opinion that

I could have given him any information of importance to him. If he has the talent of searching hearts, he will not be long at a loss ; if he has not, no information of mine could give it him. The Duke of Leeds once inquired very kindly after his classmates at Westminster School, — the two Mr. Pinckneys ; which induces me to conclude that our new ambassador has many powerful old friends in England. Whether this is a recommendation of him for the office or not, I have other reasons to believe that his family have had their eyes fixed on the embassy to St. James for many years, even before I was sent there ; and that they contributed to limit the duration of my commission to three years, in order to make way for themselves to succeed me. I wish they may find as much honor and pleasure in it as they expected, and that the public may derive from it dignity and utility ; but knowing, as I do, the long intrigue, and suspecting, as I do, much British influence in the appointment, were I in any executive department, I should take the liberty to keep a vigilant eye upon them.

Accept of my thanks for your reflections on the state of the Union, which I have read with all the pleasure which the intelligence, information, accuracy, and elegance of the remarks on Lord Sheffield inspired.

There is one secret which you must be careful to keep. Manufactures must have good government. They cannot exist where they are without it ; much less can they be introduced where they are not : but a great part of the people of America appear to be so determined to have no government at all, that, if you let them know the whole truth, you will excite an unmanageable party against manufactures. Manufactures cannot live, much less thrive, without honor, fidelity, punctuality, — public and private, — a sacred respect to property, and the moral obligation of promises and contracts, — virtues and habits which never did and never will prevail generally, in any populous nation, without a decisive, as well as intelligent and honest, government. The science of political economy is but a late study, and is not yet generally understood among us. Though I have read most of the authors of reputation on the subject, both among the French and English, I pretend not to have digested any thing relative to it with the precision of a master ; but, to me, it appears that the general interest of agriculture in particular, as well as of the nation in general, will be promoted by a discreet and judicious encouragement of manufactures, and that it is only the land-

jobber who can be benefited in the rapid rise of his monopoly, by drawing every laboring hand into the wilderness to fell trees.

The continual accessions of foreigners will endanger and destroy our peace, if we know not how to govern them. They will, moreover, corrupt our elections, and tear us to pieces. Sufficient to the day, however, is its own evil; and, in that day and hour, it always has been, and I doubt not always will be, given us to provide against its dangers.

Remember me affectionately to all friends, and believe me to be faithfully yours,

JOHN ADAMS.

Mr. COXE.

Mr. NORTON presented a very valuable collection of letters from Thomas and Richard Penn, proprietaries of Pennsylvania, to their agent in Philadelphia, Mr. Richard Peters, dated from 1750 to 1758. The originals, — these being duplicates, — with others of the same correspondence, are in the possession of Mr. John W. Field, of Philadelphia.

Mr. Norton also read, and presented to the Society, the following letter from John Adams to Hon. Richard Peters, referring in flattering terms to the Collections of this Society: —

QUINCY, April 2, 1822.

DEAR SIR, — If you have brought upon yourself the garrulity of old age, you must blame yourself for it. Theophrastus, at ninety as some say, and at a hundred and fifteen as others, in his last moments is recorded to have said, it was hard to go out of the world when he had just learned to live in it. I am so far from his temper and his philosophy, that I think myself so well-drilled and disciplined a soldier as to be willing to obey the word of command, whenever it shall come out in general or particular orders. Nevertheless, your letter has excited feelings somewhat like his. I agree with you in your recollections of the sufferings, the sacrifices, the dangers, distresses, and the disinterested character, of the principal actors in the Revolution; but I have lately plunged into a new sea of reading. The Collections of our Massachusetts Historical Society have lately

attracted my attention ; and, though I am too blind to read them, I have put in requisition sons and daughters, nephews, grandsons, and grand-daughters, and other occasional friends, to perform the office of reader. In this way, I have heard read Hubbard's "History of New England ;" Johnson's "Wonder-working Providence ;" Morton's "Memorial ;" the original writings of Winslow, Bradford, Gookin, Elliot, and twenty others, — the most ancient memorials of emigrations to America. All the superstitions, fanaticism, quaintness, cant, barbarous poetry, and uncouthness of style, have not prevented this reading exciting in me as ardent interest as I ever felt in reading Homer, Virgil, Milton, Pope, or Shakspeare.

Silence, then, ye Revolutionary heroes, patriots, and sages ! Never boast of your superiority for services or sufferings or sacrifices. Our Hancocks and Washingtons never exceeded in disinterestedness dozens of emigrants to America two hundred years ago. In short, the whole history of America for two hundred years appears to me to exhibit an uniform general tenor of character for intelligence, integrity, patience, fortitude, and public spirit. One generation has little pretensions for boasting over another.

I will add one other extraordinary. I have heard read the proceedings of the New-York Convention. They have been entertaining to me as a romance. The gentlemen have sagaciously and profoundly searched their own and one another's hearts, and very frankly, candidly, and penitentially confessed their sins to one another, like good Christians. A great number of enlightened men have distinguished themselves by their information and by their eloquence. The new Constitution is an improvement, upon the whole, upon the old ; though a tendency to the extreme of democracy is apparent in that State, as in all the others in the Union.

If I have wearied your patience, I shall endeavor to be shorter for the future.

I am, sir, and will be, your friend for ever,

JOHN ADAMS.

Hon. RICHARD PETERS, Belmont.

Mr. SAVAGE communicated, as a gift to the Society from Rev. Dr. Romeo Elton, the following transcript of a letter of the Protector Cromwell, on the care which should be exercised in selecting proper juries, addressed

to the justices of the peace for the county of Devon: —

WHITEHALL, 29th January, 1655.

SIR, — It hath been a very great complaint, that the course of law and justice hath been much liable to be perverted, by the way that is generally held by deputy-sheriffs in the choice of juries, the reformation whereof I have been much pressed to endeavor; and, in order to it, care hath been taken that so great a trust as that of the high-sheriff be deposited in the hands of men of integrity and confidence. Yet, lest that alone might not be sufficient, through failure in the deputy-sheriff, to prevent the danger and inconveniences which all men who have recourse to law lie exposed to in that which may be of nearest concernment unto them; and having understood that some of the judges, for a remedy of these evils, have, as occasion hath been offered, caused a review of the books of freeholders, out of which persons have been returned by some of the justices of the peace of the most unquestioned integrities, — I have thought it requisite that a course like to that be recommended to be practised in other places; and, for that purpose, have judged it fit to write this to you. If, therefore, the justices of the peace, especially such of them as are best spirited for the work, name some of the freeholders of the clearest integrity and prudence, of honest and blameless conversation, which, for their number, may be proportioned for the business of the county to which they [are] related, to serve upon juries for the year next ensuing, both between party and party, and in cases criminal, and offer the names so agreed upon to the sheriff of the county, I doubt not but that they would be found willing to receive kindly such an assistance; I having written to them to require their special care in their choice of juries this year, that an attempt may be once made of a reformation of the evils of this nature, so greatly complained of: and this, I hope, will be done (as it is already in many counties) by your influence, without either distasting the weaker, or giving advantage to the wilful and froward, by appearing in it. And whereas the course hitherto hath been, that as soon as the under-sheriff hath made the return of the panel upon *venire facias*, that the same hath been delivered to the attorney to make a *distringas* before the trial, by reason whereof the names of the persons to serve on the respective trials are known beforehand; from whence opportunity is given, and frequently taken, of application to each one of the jury to pre-engage them on the one side or the other; which seldom fails,

in any cause whatsoever, to the insnaring or amusing of the weak, and the tempting the avarice of the more subtle, who lie in wait for their own advantage upon such like opportunities, — whereby justice is often perverted, the innocent wronged, and the wrong-doer prevails and escapes: for the preventing the evil consequences therein, I must put this further trouble upon you, that if it shall appear in any of those counties to which you have relation, that application hath been made to any juryman, in any case whatsoever (wherein your vigilancy, and the vigilance of all your kind friends, is desired), that notice thereof be given to the judge, or judges, that ride the circuit or sit in the courts wherein such miscarriages may happen, who shall have particular instructions to pursue the remedies the law hath provided in such cases, and not to suffer any such person to serve on a jury who hath been solicited in any business that lies before him, and hath not revealed the same. — Your loving friend,

(Signed)

OLIVER, P.

The original is preserved among the records of the Savery Family, of the county of Devon; and is superscribed, "The Lord Protector's Letter to General Lilburne." The above is a true copy, examined by me.

ROMEO ELTON, D.D.,

Late Professor in Brown University, Rhode Island.

EXETER, Eng., Aug. 20, 1861.

The President alluded to the recent death of Mr. Samuel Yendell, supposed to have been the oldest inhabitant of Boston, who was carpenter of the good ship "Columbia," signalized by its connection with the discovery of the Columbia River. It was generally understood, he said, that Mr. Yendell had in his possession some memorials of the voyage of the "Columbia," or other relics, which might be valuable to the Society's cabinet; and he therefore proposed, with the consent of the meeting, that Hon. William Sturgis be a Committee to ascertain whether any such articles were left by Mr. Yendell, and, if so, to take such steps as he may think proper to secure them for our archives.

The President then addressed the meeting as follows:

The rules of our Society, gentlemen, require that the nominations of members, whether Resident, Corresponding, or Honorary, shall be laid over to the meeting next after that on which they are made, and shall then be the subject of ballot. There is, however, a general parliamentary law, that all such rules may be dispensed with, on extraordinary occasions, by unanimous consent. I am instructed by the Standing Committee to ask this unanimous consent to-day for placing upon our Honorary roll, without the delay of a previous nomination or the formalities of a ballot, a name which cannot fail to approve itself to every true-hearted American at this moment, as pre-eminently entitled to the highest honors which a grateful people can bestow.

It is not a name, indeed, which has been distinguished, as most of those on our Honorary rolls have been, by the writing of history; but it is the name of one whose long and splendid career has been employed in making history for others to write. It is a name which is a history in itself, and which is destined to occupy a distinguished place in the account of almost every important epoch in our public affairs, during the more than half a century since it was first inscribed on the annals of American heroism.

It is a name around which were clustered not a few of the earliest and brightest laurels of the war of 1812; which acquired fresh lustre during more than one of our unhappy contentions with the Indian tribes; and which attained, as was then thought, both at home and abroad, the loftiest military renown which could ever be within its reach, in the brilliant campaigns which terminated in the occupation of the Mexican capital.

It is a name which has identified itself with even more enviable triumphs in the successful conduct of negotiations, by which war has more than once been averted on our north-eastern or north-western boundary.

It is a name which has ever been associated with private virtues; with a spirit of Christian moderation and humanity; and with a scrupulous regard for the subordination of the military to the civil authority.

But, above all, it is a name peculiarly endeared to us at this hour as the very synonyme of loyalty and patriotism, and which has been a tower of strength to the people of the United States during a period of the greatest national difficulty and danger.

It is the name of one who has been found faithful among the faithless; who, born in a Southern State, and bound to it by so many ties of fortune, family, and friends, has not hesitated for an instant to recognize his paramount allegiance to the Government of the whole country; who has exhibited an example of unswerving fidelity to the Constitution and the Union; and to whose vigilant and devoted efforts we owe it, by God's blessing, that the flag of our fathers still floats on the dome of the Capitol.

I forbear to dwell longer on the claims of this name to our respect and reverence. The motion which I am about to submit, in behalf of the Standing Committee, will be seconded by one of their number, who has a peculiar right to speak on the subject, and who was himself a witness, and much more than a witness, in the lead of a gallant Massachusetts regiment, to some of the earliest triumphs with which the illustrious name of his old friend and fellow-soldier is associated.

I hasten, therefore, to make way for him, by offering the following Resolution:—

Resolved, That, for the purpose of testifying our admiration and gratitude for a great historical career which has been brought to a close within a few days past, — happily not by death, but by a voluntary and noble withdrawal from duties which age and infirmities had rendered him unable to discharge, — the roll of our Honorary Members be decorated with the name of WINFIELD SCOTT.

Colonel THOMAS ASPINWALL, to whom allusion had been made by the President, in seconding the Resolution, remarked substantially as follows:—

SIR,—I second the motion with all my heart. Having served, as mentioned by you, with General Scott in the earlier period of his military career, I share in the love and respect felt for him by all his companions in arms.

In any ordinary case, I should be unwilling to set aside a standing regulation which is well adapted to secure our Society from the admission of improper members; but the reason on which the rule is founded does not apply to the present occasion. We are now just as competent to decide upon the proposal to pay a tribute of respect to our illustrious candidate as we should be if we added a month to the half-century in which his great merits and services have been before the eyes of the nation. To defer our intended compliment would rob it of half its grace and value. *Bis dat, qui cito dat*, is quite as applicable to matters of courtesy as to those of charity. It is not to our credit that this expression of our respect was not given long ago: it will be still less so if we now postpone it.

There is no citizen of our country better entitled than General Scott to every mark of our respect, and, I may add, of our gratitude; for no one has rendered so many and so important services to the nation. His gallantry and skill as a commander have often extorted praise from his adversaries, and expressions of admiration from the great captains of the age. In the most difficult negotiations, as a pacificator, he has never failed of success. He has repeatedly saved his country from intestine and foreign wars; and, had his counsels been followed a year ago, we should have been spared most, if not all, of the evils of the present unnatural conflict.

But, sir, the hour is late; and as you have already furnished us, in your preliminary remarks, with so able and

complete an exposition of the character and history of General Scott, I feel that it will be best that I should refrain from entering into details, and conclude with merely seconding the Resolution.

The Resolution was unanimously adopted; the members rising when the vote was taken.

DECEMBER MEETING.

A stated monthly meeting was held this day, Thursday, Dec. 12, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the Chicago Historical Society; the Mercantile-Library Association of New York; the Essex Institute; the Trustees of the Library of the State of New York; the Publishers of the "Farmer and Gardener;" Count Adolphe de Circourt; Mr. N. Broughton, jun.; Mr. Edward Holden; B. P. Johnson, Esq.; James Lenox, Esq.; Mr. George F. Stevens; and from Messrs. Green, Metcalf, Robbins (C.), Sibley, and Winthrop, of the Society.

Mr. LINCOLN (S.), Chairman of one of the Publishing Committees, having laid upon the table a new volume of the Society's Collections, containing the Hinckley Papers, and the second part of Niles's "History of the Indian War," it was *voted*, That the thanks of the Society be presented to Hon. Solomon Lincoln and the gentlemen associated with him in the preparation of this volume.

A communication from the Executive Department of the State of New York, proposing an exchange of speeches, pamphlets, and sermons on subjects connected with the Rebellion, was referred to the Committee on procuring Records of the Rebellion.

Mr. DEANE announced the death of Rev. Joseph Hunter of London, one of the Assistant Keepers of the Public Records, and a Corresponding Member of this Society, in the following remarks:—

Mr. PRESIDENT, — I was not aware of the death of Mr. Hunter until informed of it a day or two since by yourself.* I knew that Mr. Hunter was getting to be an old man, that his health for some time had been failing, and that he had been gradually withdrawing, and, if I mistake not, had wholly withdrawn, from his post at the Record Office, where, for so many years, he had faithfully served the public, and incidentally the cause of antiquarian literature; and, I confess, the news of his decease did not much surprise me.

I do not propose to detain the meeting long on what I may have to say concerning Mr. Hunter. There are others here, certainly one, who knew him better than I did; who has a better claim, in every respect, to speak of him; and who, I trust, will pay that tribute to his memory which it so justly deserves. My only acquaintance with Mr. Hunter (for I never saw him) was through a correspondence I had with him for a number of years. I always found him kind and courteous, entering with readiness into every discussion or inquiry suggested, and ever free to render that information which he was generally so well able to impart. Mr. Hunter was a true antiquary. I remember he somewhere speaks of the peculiar office of the antiquary, as distinguished from that

* Mr. Hunter died on the 9th of May last, at his residence in Torrington Square, London, aged seventy-seven.

of the historian. It belongs to the antiquary, he says, to gather up the small facts of history, the fragments of truth ; and for this he was especially fitted. We would not deny to him — and his writings sufficiently indicate that he possessed — many of the higher qualities of the historian ; but, as a gleaner in the by-ways of history, he was almost without a rival. He shed light on every topic which he investigated. I had long been familiar with Mr. Hunter as a writer. As early as 1814, there appeared from his pen an admirable dissertation in answer to the question, "Who wrote Cavendish's 'Life of Wolsey'?" of which but one hundred copies were printed. It was subsequently prefixed to Singer's charming edition of Cavendish's Life ; the editor conceiving it to afford "the best example of clear argumentative solution of a literary paradox, from circumstantial evidence," with which he was acquainted. It abounds in curious learning, and should always be read in connection with the Life. A similar treatise of Mr. Hunter is prefixed to his edition of the "Life of Sir Thomas More," by his great-grandson, Cresacre More, published in 1828. There had been two editions of this Life published before, (the first in 1626,) in both of which it is assigned to a member of the family who could not have written it. Mr. Hunter, in answer to the question, "Who wrote More's 'Life of Sir Thomas More'?" restores the work to its true author, and affords some additional illustrations concerning members of that family. In 1819, Mr. Hunter published his "History of Hallamshire ;"* and, ten years later, his "Glossary" of that region. Besides editing the "Diary of Ralph Thoresby," he wrote other works, which I will not now take up the time to enumerate. I will briefly refer to a series of "Critical and Historical Tracts," of some sixty to seventy pages each, published about ten years since,

* "That part of the West Riding [of Yorkshire] which contains the parishes of Sheffield and Ecclesfield is known as Hallamshire." — *Patronymica Britannica*, p. 144.

which afford abundant illustration of his character as a true antiquary. One is entitled "Agincourt: a Contribution towards an Authentic List of the Commanders of the English Host in King Henry V.'s Expedition to France." Another relates to "Milton: a Sheaf of Gleanings after his Biographers and Annotators." Another treats of that almost mythical character, "The Ballad Hero, Robin Hood." But the tract in that series which excited the most interest among our New-England historical students is the one relating to the "Founders of New Plymouth," in which the author locates the early church of Clifton and Robinson and Brewster; the church where Bradford worshipped, (coming over from the neighboring village of Austerfield, in the adjoining county;) the church from which the emigration was made to Holland, twelve and thirteen years before the "Mayflower" bore her precious freight to Plymouth. Scrooby, in Nottinghamshire, the location of that church while in England, must henceforth be deemed the cradle of New England. Indeed, Mr. Hunter's motto, enclosing a miniature map of that region, is, *Maximæ gentis incunabula*.

A reference to our volumes of Collections will show the service which Mr. Hunter has rendered to this Society by his contributions; but one special service I may be permitted briefly to refer to. I allude to his agency in procuring for us the copy of Bradford's manuscript "History of Plymouth Plantation," for publication in our Collections. I will not dwell upon details, as the particulars are sufficiently stated in the editorial preface to that work. Having at that time (some seven years since) the principal charge of a volume of Collections, I gladly availed myself of the evidence presented to me that this manuscript History was reposing in the bishop's library at Fulham, and instantly took measures to ascertain the facts. Mr. Hunter was the person of all others who at once occurred to me as the most fit to apply to. No one in England had done so much to illustrate the history of the Pilgrims.

Besides, he was a member of this Society, and a correspondent of my own. The application made was at once responded to, and with a success which is well known. After receiving the copy of the work, I immediately set about preparing it for the press. The text was a special object of care. Mr. Hunter very kindly wrote me that he should retain the original manuscript for a time, in order to answer any inquiries I might desire to make, where a reference to the original would be required; and I very freely availed myself of this offer. Where I met with a doubtful word or sentence, I immediately made a note of it; and almost every packet, for some weeks, carried over some inquiry. Without doubt, I gave Mr. Hunter a good deal of trouble; but he had invited it, and I was engaged on a conscientious work. But I shall ever feel under the highest personal obligations to him for his kindness and forbearance throughout; and this Society owes him a debt of gratitude, and should cherish his memory with respect. I will detain the Society no longer, and give way to others.

Mr. SAVAGE also paid a tribute of respect to the deceased, and proposed that Mr. Deane be requested to prepare a Memoir of Mr. Hunter for the Society's Collections. The proposition was approved and adopted.

Lyman C. Draper, Esq., of Madison, Mich., was elected a Corresponding Member.

Mr. SALTONSTALL, Chairman of the Standing Committee, called up the subject of holding the stated meetings of the Society in the evening during the present winter, which had been laid over at the last meeting.

On motion of Mr. SAVAGE, it was *voted*, That the Society hold its stated meetings, for the succeeding months of the present winter, in the evening, at half-past seven o'clock.

Mr. CURTIS, after a few remarks, offered the following vote:—

Voted, That — be a Committee to inquire and report to what extent an exchange of prisoners, during the American Revolution, was effected by the action of the King's Government on the one side, and the Continental Congress on the other side, or by and between the respective military commanders; and especially to ascertain and report whether, by such exchanges, the rights of sovereignty claimed by the Crown were supposed in England to have been in any way impaired or set aside.

The vote was unanimously adopted.

The President nominated the following gentlemen to constitute the Committee: viz., Jared Sparks, LL.D.; Hon. Edward Everett; George T. Curtis, Esq.; Colonel Thomas Aspinwall; Hon. Richard Frothingham; Joseph Willard, Esq.; Hon. Lorenzo Sabine; Rev. George E. Ellis, D.D.; and William Brigham, Esq.

On motion of Mr. PAIGE, it was *voted*, That the Standing Committee be authorized to call a special meeting, at such time as they may deem expedient, to hear the Report of this Committee.

Mr. ROBBINS (C.) presented to the Society, from William Vaux, Esq., of Philadelphia, a valuable collection of paper currency issued by the States of Maryland and Pennsylvania in the years 1773 and 1774.

SPECIAL MEETING.

A special meeting of the Society was held this day, Thursday, Dec. 19, at noon; the President, Hon. ROBERT C. WINTHROP, in the chair.

Mr. CURTIS, from the Committee appointed at the last meeting to inquire and report to what extent an exchange of prisoners, during the American Revolution, was effected by the action of the King's Government on the one side, and the Continental Congress on the other side, or by and between the respective military commanders; and especially to ascertain and report, whether, by such exchanges, the rights of sovereignty claimed by the Crown were supposed in England to have been in any way impaired or set aside, — submitted the following Report: —

Report on Exchange of Prisoners during the American Revolution.

The Committee who were instructed to make the inquiries embraced by the foregoing vote have had the subject under consideration, and respectfully submit the following Report: —

It is not necessary for us to remind the Society, that the war of the American Revolution was conducted, on the part of the King's Government, as against rebellious subject Provinces. The great question at issue, after actual hostilities had commenced, was, whether the allegiance claimed to be due from the people of the Colonies to the Crown, upon the principles of the law of England, should be continued, or should be dissolved by a successful Revolution. The British Government, on the one hand, sought to maintain its authority

by force of arms: the people of the Colonies, on the other hand, sought to secure and maintain their independence by the same means. Your Committee do not conceive it to be any part of their duty, under the vote above recited, to seek for analogies between the causes which produced the American Revolution, and the alleged reasons on which the people of the seceded States of this Union are now acting in their efforts to separate themselves from the operation of the constitution and laws of the United States. If we were to seek for such analogies, we should not find them; for there is obviously one broad distinction between the two cases, founded on the fact, that the Government of the United States has not given, and is not charged to have given, cause for this revolt. But inasmuch as every government, that has the misfortune to encounter a serious revolt of large and organized masses of its people which it is obliged to meet by conducting the operations of actual war, is also obliged to consider how far, and on what occasions, it can relax its rights of sovereignty, and deal with its subjects who take part in the revolt as ordinary prisoners of war, — your Committee do conceive that the precedents of exchanges to be found in the action of the British Government, during the war of the American Revolution, are important subjects of inquiry at the present time. While we disclaim any purpose of suggesting to the Federal Government what policy it should pursue towards any prisoners now in its hands, or that may hereafter be under its control, we venture to believe that our facilities for a careful investigation of the principles on which the most important civil war of modern times was conducted, on the part of the sovereign and parent country, may and should be employed at this period in the public service. The great interests of civilization and humanity require that this war should be so conducted as to secure its legitimate objects at the least expense of human suffering; and whatever tends to throw light upon the principles on which a government may safely

conduct such a war ought not to be withheld by those who have the means of exhibiting it. We proceed, therefore, without further preface, to state the general course of action adopted by the Government of Great Britain, after the commencement of actual hostilities between the people of the Colonies and the Crown.

To some extent, an exchange of prisoners began before General Washington took the command of the Revolutionary forces at Cambridge. Prisoners were captured on both sides during the engagement that is commonly called the battle of Lexington (April, 1775). The British prisoners were taken charge of by the Local Committee of Safety. Certain prominent citizens among the patriots were also seized by the royal authorities; and, among them, John Brown of Providence.

On the 28th of April, the Provincial Congress ordered Samuel Murray, a son of a *mandamus* councillor, and certain British officers held as prisoners of war, to be sent under guard to Providence, and delivered to Hon. Stephen Hopkins, or any other friend of Mr. Brown, to be made use of to obtain the liberty of Mr. Brown and two others, who were then on board a British ship-of-war at Newport.

On the 6th of June, there was an exchange of prisoners at Charlestown,—Warren, who then was the virtual executive officer of Massachusetts, and General Putnam, conducting the business on the American side; and Major Moncrief on the side of the British, who landed from the "Lively."

On the 12th of June, General Gage issued a proclamation, characterizing those in arms as rebels and traitors, but promising pardon to all on submission, excepting Samuel Adams and John Hancock. Five days later, thirty American prisoners were captured at the Bunker-hill Battle. They were lodged in Boston Jail; but they were not proceeded against in the courts as traitors, or subjected to the punishment threatened in the proclamation.

On the 23d of August, 1775, the king's proclamation declared the Colonies to be in open rebellion against the Crown; and all the king's officers, civil and military, were ordered to give information of such persons as should be found aiding and abetting those who were in arms against the Government, or holding any correspondence with them, "in order to bring to condign punishment the authors, perpetrators, and abettors of such traitorous designs."

This proclamation was soon known and published in America; and, on the 7th of December, the Congress issued a counter proclamation, declaring —

"That whatever punishment shall be inflicted upon any persons in the power of our enemies, for favoring, aiding, or abetting the cause of American liberty, shall be retaliated in the same kind and degree upon those in our power who have favored, aided, or abetted, or shall favor, aid, or abet, the system of ministerial oppression. The essential difference between our cause and that of our enemies might justify a severer punishment: the law of retaliation will unquestionably warrant one equally severe." — *Journals of Congress*, Dec. 6, 1775.

The two parties were thus brought face to face in the field: the one acting as a sovereign to suppress a rebellion, and determined to apply all his judicial powers of punishment, as well as his executive powers of dispersing the rebellious forces; the other acting upon revolutionary principles to accomplish its independence by arms. The one could, of course, make no concession of belligerent rights, beyond those which actual war renders unavoidable, if a civil war is to be conducted between sovereign and subject with reasonable regard to the usages of civilized warfare: the other claimed all the rights of belligerents, as well as those of an independent sovereignty, — staking their lives upon their power to maintain both of these positions.

Before we proceed to detail the action taken on the subject of prisoners, it is important, as a further illustration of the position of the English Government, to notice a measure

adopted after the war had been for some time in progress, and after it was deemed necessary to arm the Crown with extraordinary powers with reference to the custody and detention of prisoners. The law and the custom of England required that any man imprisoned on a criminal charge, within the realm, should be brought to a speedy trial, or be discharged on *habeas corpus*. The same law and custom obtained in the Colonies; but, in most of them, no means for the detention or trial of prisoners, charged with offences against the Crown, existed after the war had actually begun. To obviate these inconveniences, and to furnish power to confine American prisoners anywhere within the king's dominions, the minister (Lord North), on the 6th of February, 1777, —

“Moved, in the House of Commons, for leave to bring in a bill to enable his majesty to secure and detain persons charged with or suspected of the crime of high treason committed in America, or on the high seas, or the crime of piracy. He prefaced the motion by observing, that, during the present war in America, many prisoners had been made, who were in the actual commission of the crime of high treason; that there were others guilty of that crime, who might be taken, but who, for want of sufficient evidence, could not at present be securely confined; that it had been customary in cases of rebellion, or danger of invasion from without, to enable the Crown to seize suspected persons; that he would not, however, be thought to hint at any present necessity of intrusting ministers with such a power in general. The times were happily different from those which called for such exertions in their utmost extent. Neither rebellion at home nor foreign war were at present to be apprehended. For these reasons, it was not meant to ask the full power usually obtained in former cases of rebellion; but, as the law stood at present, it was not possible for Government officially to apprehend the most suspected person. Another circumstance, which required an immediate remedy, was, that the Crown had at present no means of confining rebel prisoners, or those taken in the crime of piracy on the high seas, but in the common jails: a measure not only inconvenient, but impracticable. In the present state of affairs, it was absolutely necessary that the Crown should be enabled to confine prisoners under those descriptions, and

to provide for their security, in the same manner that was practised with respect to other prisoners of war, until circumstances might make it advisable to proceed against them *criminally*. Such, he said, were the purposes of the bill." — *Annual Register*, vol. xx. p. 53.

This bill became a law, by a very large majority of both houses;* and it shows several important things:—

1st, That the Government intended to reserve and exercise all its sovereign judicial powers of punishment.

2d, That it meant to punish for treason or for piracy, according as the prisoners captured might be amenable to the law of England from being taken on the land; or from being taken on the sea, cruising against British commerce.

3d, That it was intended to have the trials for such offences take place at the pleasure of the Crown; thus holding the prisoners in a position to be dealt with as criminals or as ordinary prisoners of war, as the Executive Government might find expedient.

These purposes are not left to mere conjecture; for as the Government proceeded under a statute which armed the Crown with unusual powers, and as the grant of those powers can be explained only by what we have said as to their purposes, those purposes are just as plainly apparent from the provisions of the act as if they had been expressly declared. Indeed, the minister, in the course of the debate, could only defend himself against the charge, that a man could not know, under this bill, whether he was to be treated as a felon or as a prisoner of war, by repeating, that it was necessary to give the Crown the extraordinary power of holding persons arrested until *circumstances* might make it advisable to proceed against them *criminally*. This very significant observation shows, quite plainly, that the power to treat the prisoners as prisoners of war or as criminals, according to the exigencies of policy, was what the minister sought and obtained.

* 17 Geo. III. chap. 9. By successive acts, it was continued until Jan. 1, 1788.

The treatment which different prominent Americans received, who were made prisoners in the course of the war, was exactly in accordance with the double powers thus obtained by the Crown. One of the earliest prisoners was our unfortunate countryman, Colonel Ethan Allen, who was captured in a rash attack upon Montreal, Sept. 24, 1775; and who was handed over to the local commander of the British forces, — General Prescott. Prescott, as is well known, treated his prisoner with great indignity and rigor. Not long afterwards, Prescott was himself taken prisoner by the Americans, in Rhode Island. As soon as the treatment to which Allen was subjected was known to Congress and to General Washington, the latter, on the 18th of December, 1775, wrote to Sir William Howe, announcing that whatever fate Allen should undergo would be meted out to General Prescott; at the same time intimating, that he (Washington) was ready to enter into an exchange of prisoners, Congress having resolved that an exchange was proper, "citizens for citizens, officers for officers of equal rank, and soldier for soldier."

Sir William replied (Dec. 23), that the limits of his command did not extend to Canada, and that he knew nothing of the case of Allen; but he took no notice of that part of Washington's letter which related to a general exchange. But, on the next day, Sir William wrote to the Secretary for the Colonies, enclosing the retaliatory proclamation of Congress, and saying that he should not enter upon exchanges without the king's orders. — *Sparks's Writings of Washington*, iii. 201–204.

Previous to this, — and, in fact, soon after he was taken, — Allen was sent to England in irons as a traitor, and was confined for some time in Pendennis Castle. This, of course, took place before Lord North's Act, already referred to, was passed; and it was doubtless in pursuance of general orders to the British commanders in America, that Allen and his companions were carried to England. The inconvenience of holding them in prison subject to inquiries by *habeas corpus*,

and the condition of things at the close of the year 1776, were evidently the causes of the enactment of the law just mentioned.

About midsummer, 1776, Lieutenant-Colonel Campbell, a member of Parliament and a gentleman of fortune, was captured in a transport, in Boston Harbor, with a body of two hundred and ten Highlanders. Colonel Campbell was consigned to Concord Jail. At the close of the campaign of 1776, the British had an aggregate of nearly five thousand American prisoners in their hands, while the Americans held an aggregate of nearly three thousand British prisoners. But, although the balance was thus largely in favor of the British, an event occurred, before the close of the year, which made it necessary for the English Government to consider whether they would, in defiance of the retaliatory measures threatened by Congress, proceed to use their powers of trial and punishment; or whether, in justice to their own officers and men then in the hands of the Americans, they would permit exchanges as of prisoners of war. This event was the capture of Major-General Charles Lee, the officer next in rank in the American Army to Washington, on the 12th December, 1776. Sir William Howe believed, apparently with great sincerity, that Lee was amenable to military punishment as a deserter, because he had held a commission in the British Army; and Lee was treated accordingly with great severity, as a person liable to be tried by court-martial for the high military crime of desertion. This drew from General Washington a vigorous remonstrance, coupled with the threat, that any injury done to Lee would be severely retaliated upon the Hessian and British officers in the hands of Congress. At the same time, he offered to exchange five Hessian officers for General Lee; and, if that should be refused, he demanded that Lee should be enlarged on his parole. This step was taken by General Washington, by order of Congress, Jan. 13, 1777. Lee was not exchanged at that time, or enlarged upon his parole, but

was held for trial as a deserter. Thus this matter stood at the close of the year 1776 and the beginning of 1777.

But it is now necessary to go back, and ascertain to what extent, and under what circumstances, there had been, previous to this time, any arrangements or agreements about exchanges: bearing in mind the prominent cases of Colonel Allen, who was carried to England as a traitor, and against whom Lieutenant-Colonel Campbell was afterwards offered in exchange; and the case of General Lee, then held in New York as a deserter, for whose safety five Hessian officers were held as hostages by the Congress.

We have seen that Sir William Howe, in December, 1775, when in command at Boston, did not feel himself authorized to make an exchange of prisoners without the king's express orders. We shall see, however, presently, that in January, 1777, he had for some time had, to use his own language, some "agreement with the enemy for exchange of prisoners." What was this agreement? and on what authority did he make it?

On the 20th of July, 1776, Sir William Howe sent his adjutant, Lieutenant-Colonel Paterson, to have a personal interview with General Washington. A careful memorandum of what took place at this interview was preserved by Washington, and may be found in the Appendix to the fourth volume of Mr. Sparks's edition of his works. It was a curious scene. The British officer, with the instincts of a gentleman, addressed General Washington constantly by the title of "Excellency," and did his best to explain the circumstances which had led Sir William formerly to write to him as "George Washington, Esq., &c., &c., &c.:" but the explanation was an awkward one; and as he brought with him the same letter, with its objectionable address, Washington again declined to receive communications so superscribed. This led to a verbal communication of the topics of his errand; in the course of which, Colonel Paterson referred to a paper which he took from his pocket. One of the subjects related to an exchange of pri-

soners; and Colonel Paterson stated, that he *now* had authority to accede to a particular exchange, which had previously been proposed. In consequence of this interview, Washington, on the 30th of July, wrote to Sir William Howe, informing him that Congress not only approved of this particular exchange, but wished to negotiate a general exchange of "Continental officers for those of equal rank, soldier for soldier, sailor for sailor, and citizen for citizen." He also mentioned the case of Colonel Allen as one for which Congress were particularly anxious to provide. On the 1st of August, Sir William replied with great courtesy, addressing his letter to *General* Washington, and agreeing to the mode of exchange proposed (excepting as to seamen, concerning whom he referred General Washington to the admiral), but excluding deserters from the scope of the agreement.

This arrangement, it should be remembered, took place within a few weeks after the Declaration of Independence, and six months before the passage of Lord North's Act. The British general knew that he was dealing in this matter with the American Commander-in-chief, who, he also knew, was acting under the orders of Congress. Now, it is not to be supposed that Sir William Howe *assumed* an authority in 1776 which he did not consider that he possessed in 1775, or that he acted without the king's permission. He was a commander of great intelligence and prudence, a faithful servant of the Crown, and fully conversant with the duties of his position; and, although we cannot trace in any of his published correspondence with General Washington any reference to a new authority on the subject of exchanging prisoners, there can be no rational doubt that he had received such authority, and that a search in the London War Office would disclose it. When, too, we connect his course with that subsequently pursued by the ministry in obtaining from Parliament power to hold prisoners, for the present, without trial, and with their directions respecting Lee and Allen, we cannot doubt that

they had discovered a principle on which exchanges could be permitted, in a civil war, of men amenable to punishment as criminals, when it suits the convenience of the sovereign to treat them as prisoners of war.

It is proper here to mention, briefly, how this agreement between General Howe and General Washington operated, down to the time when the exchange of Lee and Allen was permitted by the King's Government.

This period extends from August, 1776, to May, 1778. It would occupy altogether too much space to detail the very numerous exchanges made between the two commanders during this interval, or to describe the various difficulties attending particular cases. The whole of the important facts may be found in the fourth and fifth volumes of Mr. Sparks's collection of Washington's writings, and the Appendices of those volumes. From these sources, it is apparent that great numbers of exchanges were made from time to time, in the course of a correspondence, a large part of which is occupied with mutual complaints of the treatment received by the prisoners on each side. Sufferings, for which the commanding generals were not responsible, of course were endured on both sides; but although it is occasionally sharp, and even stern, probably there is no military correspondence between opposite commanders, in the history of any country, more elevated, and more marked with a spirit of humanity, and a desire to relieve suffering, than that between Generals Washington and Howe which covers this period. It is interesting to observe, that this humane and accomplished British general, for whose character Washington did not hesitate to express both "respect and reverence," and who was prosecuting the war of a sovereign against rebellious subjects, was particularly earnest in insisting on the most liberal application of the rules of war in respect to exchanges of prisoners. He was anxious to have even a daily exchange, so as to include stragglers; but Washington denied that the custom of

war required, or that the interest of an army would admit of it. To this, Sir William replied:—

“ You are pleased to say, the usage of war does not allow of an *immediate* exchange of prisoners; which I can by no means agree to, the contrary being ever the custom of armies between which an exchange of prisoners has been determined, as far as the nature of business may permit. And in respect to stragglers from your army, since you have been pleased to say I might have set you examples of returning them, I am to inform you that no persons under that description have fallen into my hands. Such men as have been lately taken in arms, as well as those who have been longer in confinement, are solely detained for the arrival of your prisoners, in consequence of assurances received from you on that subject.” — Nov. 11, 1776.

Your Committee do not deem themselves competent to decide on the military point on which these two eminent commanders thus differed; but it is evident, that, whatever Sir William Howe's motive may have been, he, as the military representative of his Government in conducting the war, insisted upon applying what he understood to be the *rules of war* to the relations of the two armies with each other, although one of those armies was composed of rebels in the eye of British law and in his own opinion.

Such continued to be the relations of the two armies in reference to exchanges, under the agreement of August, 1776, down to the time when the case of General Lee made a reference to his Government by General Howe necessary to the safety of the British and Hessian officers then in the hands of Congress. For the particulars respecting Lee's exchange, we are indebted to Mr. Sparks's researches in the English State-paper Office.

Dec. 20, 1776, Sir William Howe wrote to Lord George Germain:—

“ General Lee, being considered in the light of a deserter, is kept a close prisoner; but I do not bring him to trial, as a doubt has arisen, whether, by a public resignation of his half-pay prior to his entry

into the Rebel Army, he is still amenable to the military law as a deserter: upon which point I shall wait for information; and, if the decision should be for trial on this ground, I beg to have the judges' opinion to lay before the court. Deserters are excluded in my agreement with the enemy for exchange of prisoners."

To this the minister replied:—

"As you have difficulties about bringing General Lee to trial in America, it is his majesty's pleasure that you send him to Great Britain by the first ship-of-war."

Sir William Howe wrote, in answer to this order:—

"Washington declines to exchange the Hessian field-officers taken at Trenton, or Lieutenant-Colonel Campbell, unless Lee is recognized as a prisoner of war. Lee is therefore detained for further instructions; being apprehensive that the close confinement of the Hessian officers would be the consequence of sending Lee to Britain, and that this would occasion much discontent among the foreign troops." — *Letter*, July 8, 1777.

This measure of caution was approved, and the minister replied:—

"His majesty consents that Lee (having been struck off the half-pay list) shall, though deserving the most exemplary punishment, be deemed as a prisoner of war; and may be exchanged as such, when you may think proper." — *Letter*, Sept. 3 (Sparks's Writings of Washington, vol. iv. p. 276, *note*).

Lee was accordingly exchanged for General Prescott at some time in April, 1778.

It is to be observed, that this consent to treat as a prisoner of war a man who was held in England to have deserved exemplary punishment as a deserter, was given six months before our treaty of alliance with France had elevated us into the posture of a nation waging war in conjunction with an ally. We were still the "rebels" we had been declared to be by the Proclamation of 1775,—a character in which we never ceased, indeed, to be regarded in the view of the king and his ministers, and in the popular judgment of the British nation,

until the Preliminary Treaty put an end to the pretension. Yet General Lee's imputed criminality, both as a traitor and a deserter, was all waived, in order to prevent the military inconvenience and the sufferings of British officers which would have resulted from treating him otherwise than as a prisoner of war.

Allen was sent back to America, as a prisoner of war, in 1776. He was not under the control of Sir William Howe, when that officer sent his adjutant to General Washington to propose an exchange of prisoners. Allen and about forty other Americans, taken in Canada, arrived in England, Dec. 22, 1775; and were immediately lodged in Pendennis Castle as traitors. The "Annual Register" states, that "whilst their friends in London were preparing to bring them up by *habeas corpus*, to have the legality of their confinement discussed, they were sent back to North America to be exchanged." — *An. Reg.*, vol. xviii. p. 187. At length, Allen and the men who had been captured with him were put on board the fleet commanded by Sir Peter Parker, which sailed from Cork in February, 1776. They were taken first to North Carolina, and afterwards to Halifax, where they remained till October, when they were transferred to New York. In the spring of 1778, Allen, being then within the limits of General Howe's command, was by him exchanged for Lieutenant-Colonel Campbell on the 5th of May, 1778. — See *Life of Allen, in the Library of American Biography, by Mr. Sparks.*

From the foregoing statements, it will be apparent, that both before and after the passage of Lord North's Act respecting American prisoners, by the sanction of his Government, Sir William Howe was permitted to exchange prisoners with the American General; that, after a commitment on a charge of treason, Allen and his companions were returned from England to America as prisoners of war; and that Lee, who was considered in England as a deserter, was converted into a prisoner of war, and exchanged as such.

It now remains for us in this connection, before the termination of General Howe's service in America, to state the reasons why a general cartel was not entered into between the Continental Congress on the one side, and the King's Government on the other. Such an arrangement, to last during the war, and to embrace all prisoners on both sides, was desired by Congress and General Washington. After much negotiation, it failed, for reasons sufficiently stated by Mr. Sparks in a note to his fifth volume, page 316, as follows: —

“Commissioners from General Washington and General Howe met at Germantown on the 31st of March, 1778, where they remained three days. They met again, April 6, at Newtown, in Bucks County. A difficulty arose, at the outset, concerning the nature of the powers contained in General Howe's commission. It was given on no other authority than his own; whereas the commission from General Washington expressly specified, that it was ‘in virtue of full powers to him delegated.’ This defect was objected to by the American commissioners, and the subject was referred to General Howe, who declined altering the commission; declaring at the same time, ‘that he meant the treaty to be of a personal nature, founded on the mutual confidence and honor of the contracting generals; and had no intention, either of binding the nation, or extending the cartel beyond the limits and duration of his own command.’ As this was putting the matter on a totally different footing from that contemplated in General Washington's commission, by which Congress and the nation were bound, and as General Howe's commissioners refused to treat on any other terms, the meeting was dissolved, without any progress having been made in a cartel. It was intimated by the British commissioners, as a reason why General Howe declined to negotiate on a national ground, that it might imply an acknowledgment inconsistent with the claims of the English Government.”

The inferences proper to be drawn from this occurrence, we conceive to be, not that the English Government were unwilling to exchange prisoners, or to sanction an exchange of prisoners, to any extent required by their military convenience, or by the duty which they owed to their own

people, but that they were unwilling to make a total surrender of their political and judicial rights by entering into a national cartel embracing all prisoners, and extending through the war; that they considered a reservation of their sovereign powers of judicial trial and punishment to be entirely consistent with exchanges upon military principles, concerted between the commanding generals; and that this mode of exchange left them free to act towards any prisoners then in England, or that might be afterwards brought there, according to the provisions of the act which Lord North had carried through Parliament in the previous winter. The date of the final termination of this first negotiation respecting a national cartel decisively supports this view of the principles on which the ministry acted. The negotiation broke off on the 6th of April, 1778. Lee, Allen, and many others, were exchanged between Generals Washington and Howe after this date, under their general agreement, which had been in operation since Aug. 1, 1776.

In the following year (1779), when Sir Henry Clinton had taken the place of Sir William Howe, a second attempt was made to arrange a general cartel; and here we are able still more accurately to appreciate the concessions which the British Government was willing or unwilling to make. On the 14th of March, 1779, General Washington proposed to General Clinton the settlement of a general cartel by commissioners. Commissioners were appointed on both sides, and they met at Amboy on the 12th of April. In the instructions given by Sir Henry Clinton to the British commissioners, he said, "You will take care not to admit of any preamble, title, or expression, tending to the acknowledgment of independency on Great Britain." After adding some explicit directions on the details of the exchanges to be agreed upon, he continued:—

"Should it be objected by the enemy's commissioners, that the cartel being between Sir Henry Clinton and General Washington,

and not between nations at war, it would be in force only during their holding the command of the two armies, an article may be framed to express, that it should rest with Great Britain and the Congress to give it stability during the war by a ratification within the space of months."

This was going very far; for, although any express or implied admission of independency was excluded, the British general was willing that the cartel should extend through the war, if his Government should consent. In the report of the British commissioners to their General, they said, —

"They (the American commissioners) disclaim all intention to draw us into an acknowledgment of their independence, and have fully satisfied us that the preamble may be couched in terms not repugnant to our general mode of expression with respect to them."

But the negotiation came to nothing, partly on account of the difficulties respecting the convention troops, and partly in consequence of disputes respecting the prisoners' accounts.

In January, 1780, General Washington was informed by the minister of France, that the court of London, on account of the difficulty in procuring men, had instructed their commander-in-chief to treat for a cartel on a national footing, rather than fail to obtain a re-enforcement of their army by a release of their prisoners in the hands of the Congress. Washington did not credit this information, but thought it his duty to repeat the experiment; but he instructed his commissioners to do nothing unless the British commissioners should come with national powers. Another meeting took place at Amboy, on the 31st of March, 1780; but this time the effort again failed, because Washington insisted on what was equivalent to a national recognition. On this point, we quote the following remarks made by Mr. Sparks on this occurrence (vol. vii. note, p. 3): —

"It turned out that the enemy had not the remotest idea of treating on national grounds. Perhaps it was not to be expected; and yet, as there could be no fair exchange except on terms of equality,

it would seem that the difficulty lay more in the form of words than in the substance of the thing.

"The national faith was as much plighted on one side as the other, and the king was as much bound in honor to confirm the contracts of his generals as Congress was to sanction those of General Washington. The difference was, that Congress pledged themselves beforehand to abide by his acts; whereas the British commanders took care so to express all the instructions to their commissioners as to make it appear that these instructions emanated from no higher authority than themselves. If a consent to treat on national grounds, as it was called, would seem to imply the political independence of the Americans, it should have been likewise considered, that the course pursued was a standing reproach upon them as rebels; and, if the former was unpalatable to one party, the latter must have been equally so to the other. It was a case, therefore, which required mutual concessions, especially as both parties, in regard to the matter in hand, stood on equal grounds, had the same interests at stake, and would be equally benefited or injured by the result. It was not a subject in which political considerations ought to have interfered. Justice and humanity had superior claims. There might and should have been an explicit understanding, that agreements for the exchange of prisoners should have no bearing on the other relations between the parties, and that the great points at issue should rest on precisely the same foundation as if no occurrences of this sort had taken place.

"Upon this basis, there could never have been any substantial political obstacles in the way of an equitable exchange of prisoners; but there were reasons, perhaps, why neither party was inclined to propose such a basis, or even to adopt it if proposed."

The exchanges, however, during the years 1779 and 1780, went on as before, without any general cartel, and by the action of the commanders-in-chief, through commissaries of prisoners, or by direct correspondence between the generals. In November, 1780, as many as a hundred and forty American officers and four hundred and seventy-six privates were exchanged at one time. Among the officers were Major-General Lincoln; Brigadier-Generals Thompson, Waterbury, and Duportail; and Lieutenant-Colonel Laurens.

This brings us to the period when Henry Laurens, father of the officer just mentioned, President of Congress, and the intended minister of the Congress to the Hague, was captured off the coast of Newfoundland, carried to London, and committed to the Tower on a charge of treason. Before this event, some thousands of prisoners had been exchanged in America upon the principles and in the mode above described; that is to say, while the British Government was unwilling to make that species of convention *durante bello*, which is known to the public law as a cartel between nations at war, they constantly permitted exchanges, under the rules of war, for purposes of military convenience, and in relief of the sufferings of their own officers and privates in captivity. Had they not saved the point which distinguishes between an admission of sovereignty and an admission of the physical fact of temporary military force, there would have been gross inconsistency and impropriety in treating Mr. Laurens otherwise than as a prisoner of war. As it was, they had reserved the right, upon their principles of allegiance, to make him amenable to the law of England; but Mr. Laurens, after suffering a long and severe confinement of fifteen months, was released on bail as the prospect of peace drew near, and was finally exchanged for Lord Cornwallis just before the preliminary articles of peace were signed.

With respect to the American prisoners who were carried to England, your Committee find, that, under the operation of Lord North's Act, they were, in general, committed to jail as traitors or pirates. Their treatment was so rigorous, and their condition so bad, that, after the Earl of Abingdon had brought the subject before the House of Lords, a public meeting was held in London, Dec. 24, 1777, at which the sum of eight hundred pounds was subscribed for their relief. Among the persons who interested themselves in their behalf was David Hartley, who corresponded with Dr. Franklin on the subject. In August, 1778, Hartley succeeded in obtaining

from the Admiralty an engagement respecting English prisoners under Franklin's control in France, of which he gives the following account to Franklin (*Franklin's Works*, vol. viii. p. 295):—

GOLDEN SQUARE, 14th August, 1778.

DEAR SIR,—I wrote to you, as long ago as the 14th of the last month, to tell you that the administration here had given their consent to the exchange of prisoners at Calais; and that they would agree to give any ship on your part a free passport from Brest to Calais, upon your sending to me a similar assurance, that any British ship going to Calais, and for the purpose of the exchange, should have free entrance without molestation, and free egress with the prisoners in exchange. I have again received a confirmation of these assurances from the Board of Admiralty here: and we are now waiting for your answer; after the receipt of which, the exchange will be forwarded with all expedition.

Great delays, however, were interposed by the English Admiralty; and this arrangement was not carried out. Franklin believed that the delay was occasioned in part by the efforts of the English to persuade the American prisoners to enter the king's service. At length, in 1780, Paul Jones came into the Texel with five hundred English prisoners on board of his privateers. Dr. Franklin proposed to exchange them; but this proposition was refused by the English Admiralty, in the expectation, as Franklin believed, that they could recapture them on their way to France. But, Paul Jones's squadron remaining longer in Holland than was expected, the British ministry procured an exchange of those prisoners with the French Government for an equal number of Frenchmen; and Franklin was persuaded to give them up, on a promise of having an equal number of English delivered to his order at Morlaix. But this promise was not kept; and the English Government refused to exchange other Englishmen for Americans, unless they had been taken by American cruisers.

In 1782, the number of American prisoners confined in England was not far from eleven hundred. In April of that

year, in consequence of a proposition sent over by Dr. Franklin, an act of Parliament was passed, empowering the king, notwithstanding their commitment for treason, to consider them as prisoners of war, and exchange them as such.

A careful examination of Dr. Franklin's correspondence satisfies your Committee, that, although he never succeeded in obtaining the execution of any considerable agreement for exchanges with the British ministry, partial exchanges, to some extent, were effected either by or through him, or with the commanders of the American privateers. In general, however, the American prisoners were held in England under the authority of the Act passed in February, 1779, and which we have referred to as Lord North's Act.

Your Committee are not aware that any American taken during the war of the Revolution was actually put upon trial for treason or piracy. Probably, had the struggle terminated differently, some trials and executions for both of those offences would have taken place; for it is an undoubted maxim of all governments, that the sovereign who succeeds in suppressing a revolt may reserve for punishment those whom he sees fit to punish, although, in the course of the struggle, he may have made any number of military exchanges for reasons of temporary policy. Such exchanges are made in his own interest and for his own convenience, and involve of themselves no concessions to the political pretensions of his enemies. They are made from a pure principle of justice to his faithful subjects who expose their lives and liberties in his service, and for the re-enforcement of his own military strength. If a sovereign could not make them, when carrying on a war to preserve the integrity of his dominions against domestic enemies, it would follow that he must wage such a war without one of the most important of the means which belong to him in all other wars; and it would be just as reasonable to suppose that they involve an admission of the political claims of the enemy in a foreign war, as it is to

make that supposition when the war is between two parts of the same nation. Certainly, great care should be taken, in making such exchanges, to exclude all political admissions; and your Committee are satisfied that the precedents of the American Revolution amply show that this can be done. Those precedents show, that, where the exchanges are made by direct negotiation and correspondence between the commanding generals, no political admission can be implied. Where it is necessary to appoint commissioners for a general or a limited exchange, to continue for a greater or lesser period, the powers exchanged may be so framed as to exclude any such admission; and, if the enemy insists on not treating with such an exclusion from the powers, the parties can fall back upon the first-mentioned mode of exchanging man for man, by the direct correspondence of the generals in command.

Your Committee, therefore, respectfully submit the foregoing statements, as furnishing, in their opinion, a sufficient answer to the inquiries propounded by the vote of the Society.

JARED SPARKS.
EDWARD EVERETT.
GEO. T. CURTIS.
THOS. ASPINWALL.
RICHARD FROTHINGHAM.
JOSEPH WILLARD.
LORENZO SABINE.
GEORGE E. ELLIS.
WM. BRIGHAM.

Voted unanimously, That this Report be accepted, and placed on file, and published under the direction of the Committee by whom it was prepared.

Note to Page 334 of the foregoing Report.

In preparing this Report, the writer was satisfied, from the acts of General Howe, that he must, at some time between December, 1775, and July, 1776, have received from his official superiors authority to enter upon an exchange of prisoners; but as the despatch conveying this authority had not been printed, and Mr. Sparks did not then recollect having seen it, it was suggested that "a search in the London War-office would disclose it." Since the Report was accepted by the Society, it has been ascertained that a copy of this despatch, taken from the original, has long been in the possession of Mr. Sparks, as will appear from the following note addressed to the writer:—

CAMBRIDGE, March 14, 1862.

MY DEAR SIR,—I have found among my papers the letter of Lord George Germain; and enclose a copy, which you can print in a note, as coming from an original source. General Carleton was the last commander of the British forces in this country. The official papers of all his predecessors in the command were transferred to him. He retained them; and, some time after his death, they were given to the Royal Institution. They are comprised in more than forty bound volumes. I examined them all, and had copies taken of such letters as are the most important in reference to our history.

Very truly yours,

JARED SPARKS.

GEORGE T. CURTIS, Esq.

Letter from Lord George Germain to General Howe.

Copied from the original, now among the "Carleton Papers," in the Royal Institution, London.

"WHITEHALL, Feb. 1, 1776.

"This letter will be intrusted to the care of the commander of his majesty's ship the 'Greyhound,' who will also deliver up to you the officers of the privateer fitted out by the rebels, under a com-

mission from the Congress, and taken by one of Admiral Graves's squadron. The private men have all voluntarily entered themselves on board his majesty's ships; but, the officers having refused so to do, it has been judged fit to send them back to America, for the same obvious reasons that induced the sending back the rebel prisoners taken in arms upon the attack of Montreal in September last.

"It is hoped that the possession of these prisoners will enable you to procure the release of such of his majesty's officers and loyal subjects as are in the disgraceful situation of being prisoners to the rebels; for although it cannot be that you should enter into any treaty or agreement with the rebels for a regular cartel for exchange of prisoners, yet I doubt not but your own discretion will suggest to you the means of effecting such exchange, without the king's dignity and honor being committed, or his majesty's name used in any negotiation for that purpose. And I am the more strongly urged to point out to you the expediency of such a measure, on account of the possible difficulties which may otherwise occur in the case of any foreign troops serving in North America.

"I am, &c.,

"GEO. GERMAIN."

JANUARY MEETING.—1862.

A stated monthly meeting was held this evening, Thursday, Jan. 9, at half-past seven o'clock ; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the Commonwealth of Massachusetts ; the State of Rhode Island ; the American Academy of Arts and Sciences ; the American Antiquarian Society ; the Chicago Historical Society ; the Mercantile-Library Association of New York ; the New-England Historic-Genealogical Society ; Oberlausitzischen Gesellschaft der Wissenschaften zu Görlitz ; Mr. George Arnold ; Rev. Andrew Bigelow, D.D. ; Edward Buck, Esq. ; Rev. Benjamin Dorr, D.D. ; Rev. Arthur B. Fuller ; Hon. John P. Kennedy ; James Lenox, Esq. ; Rev. Elias Nason ; Usher Parsons, M.D. ; James C. Wetmore, Esq. ; the Publishers of the "American Bee Journal ;" and from Messrs. Deane, Felt, Lamson, Lawrence, Metcalf, Robbins (C.), and Winthrop, of the Society.

The President read letters from the Secretary of State, and also from the Attorney-General, of the United States, acknowledging the receipt of the Report on Exchange of Prisoners ; copies of which he had sent to them, and to other members of the Cabinet, in advance of its publication.

The President presented a print of the tomb of Lafayette, which he had recently procured while visiting the spot in Paris.

The tomb is in the *Cimetière de Picpus*, and the tablet bears the following inscriptions:—

M. A. F.
DE NOAILLES
NÉE A PARIS LE XI NOVEMBRE
MDCCLIX
MARIÉE LE XI AVRIL M.D.CCLXXIV
A
M. J. P. R. Y. G. D.
LAFAYETTE
Décédée à Paris le XXIV Décembre
MDCCLXXV.
Requiescat in Pace.



M. J. P. R. Y. G. D.
LAFAYETTE
LIEUT. GÉNÉRAL, MEMBRE DE LA CH. DES DÉPUTÉS
NÉ A CHAVANAC HAUTE LOIRE
LE VI SEPTEMBRE MDCCLVII
MARIÉ LE XI AVRIL MDCCLXXIV
A
M. A. F. DE NOAILLES
Décédée à Paris le XX Mai
MDCCLXXV.
Requiescat in Pace.

[The full name of Lafayette was Marie-Paul-Joseph-Roche-Yvers-Gilbert-Motier de Lafayette. The lettering on the print seems not quite correct.]

In this connection, the President communicated the following correspondence between General Lafayette and Governor James Bowdoin, from the Bowdoin Papers in his possession; the letters of Bowdoin being from his own rough draughts:—

HEAD QUARTERS, May the 30th, 1780.

DEAR SIR, — It is with a peculiar and an affectionate confidence that I take the freedom of imparting to you my private sentiments in this critical instance, where your patriotism and influence may decide the fate, and for ever fix the independence and happiness, of America. I often lamented, when at Boston, that the engagement of secrecy, to which I had been bound by my honor, prevented the satisfaction I would have felt in talking privately and fully to you on that most important subject. By a public letter from the Committee now at camp, you have been apprised of the succor that may be every day expected from France; and I will only dwell upon our American circumstances.

After the part I have taken in the planning of this succor; after the expectations which I know to be conceived by France, and which late promises may have yet raised, — you may judge of what, both as a private man and a man that feels a becoming American pride, I have experienced in viewing our present distressed situation. I am, if necessary, willing to give up the esteem of those whom, for the

sake of serving America, I thought proper to impress with favorable ideas and high encomiums of the resources which the virtue of the people would bring forth to a co-operation. But, on a public point of view, I can't part with the love of supporting, by all means, the honor, the reputation, of these United States; and when allied armies are coming with sanguine hopes, when all Europe are watching this opportunity of fixing at once their opinion on the consequence and virtue of America, shall I tell those armies, shall I tell the world, that we have no army to co-operate with the French troops, and that we cannot extricate ourselves from that humiliating inability? Shall it be known that we have men in the country, but no soldiers in the regiments; that every part of the continent abounds with a peculiar kind of provisions, and that the army is starving? We may add, indeed, that cloth and other articles are to be found in the towns of America, but that our officers are in such a naked, indecent situation, as makes them ashamed to show themselves in any company.

You will find I am warm on the subject. But I love America, I love our cause, which perhaps depend on this single instance. I supported in Europe, and that with becoming pride, the character of an American soldier. When I was there, I exerted myself in bringing forth this succor which I then thought *but to be very important*. Now, sir, from a view of our circumstances, I clearly *see it was necessary*. Shall I be obliged to blush in the humiliating confession of our inability to a co-operation, which, if proper means are taken, shall most certainly be productive of a glorious, decisive, final campaign?

Though I was directed by the ministry to send them an immediate account of our circumstances, though the same intelligence should be forwarded to the French generals at their arrival, I tell you confidentially, that pride did not permit my entering into those details, and I avoided them; entirely trusting on the future exertions of America.

Bringing forth all the resources of the country; filling up, by draughts from the militia, our Continental battalions; complying with all the requests of our General, and the Committee now at camp; and doing it immediately,—such are, my dear sir, the only means of turning to our advantage this very decisive crisis. Those means are not in the hands of Congress. The States alone (and, entirely confiding in your influence, I hope yours will once more set

the example) — the States may put us in a situation of co-operating with vigor ; which measures if immediately taken, we may hope for, and indeed certainly depend on, every thing that is good. But no time is to be lost ; and, before this reaches you, our allies will be asking for the promised co-operation.

I beg your pardon, my dear sir, for the length of this *confidential letter*. But we are actuated by the same public motives ; and I wish you may also join in the desire I have to be united with you by the ties of an affectionate and everlasting friendship. In desiring you will be pleased to make my respects acceptable to your family, I have the honor to be, with the most perfect regard,

Dear sir, your most ob^t humble serv^t,

LAFAYETTE.

Hon. JAMES BOWDOIN, Esq., &c.

BOSTON, June 12, 1780.

The Hon^{ble} the Marquis LAFAYETTE,
at Morris Town.

MY DEAR MARQUIS, — The last evening, I had the honor and pleasure of receiving your confidential letter of y^e 30th ult^o:

You will give me leave to thank you for the communications it contains ; which are of a very important nature, and demand an immediate attention. Before this can come to your hands, you will have been informed what measures the Government of this State have taken to re-enforce the Continental Army : but lest the letter and the proceedings sent to Gen^l Washington, relative thereto, should by any accident miscarry, I enclose to you a printed copy of those proceedings, by which you will see the Government are zealous and in earnest to procure the re-enforcement ; and I hope our good allies will have no reason to complain of any backwardness of this State in furnishing its quota to enable General Washington effectually to co-operate with them.

You will observe, by the Resolves of the G^l C^l, that although the Com^l-in-chief is to appoint y^e place of the rendezvous of the men, yet it seems to be taken for granted that the place will be Springfield. Now, if their destination should be Nova Scotia (w^{ch}, from the letter Gen^l Washington lately hon^d me with, may be probable), it w^d be marching them greatly out of the way to march them thither ; which 'tis likely our county superintendents may do, or prepare to do, unless the General's orders sh^d reach them seasonably to prevent

it. This hint, my dear sir, if needful to be attended to, you will make such use of as you think proper.

I feel the weight and force of several of y^r interrogations, purporting that there are men and provisions in the country, but a deficiency of them in y^e army.

The reason of this is obvious. It does not proceed from the causes w^{ch} have been assigned for it, — a principle of monopoly; a want of virtue; or, what secret enemies may suggest, a disposition to abandon the glorious cause in which we are engaged; — but from a want of money, real money. The same effects, *ceteris paribus*, would have resulted from the same causes among every people on earth. The paper-credit, the substitute of money, when it exceeded the just quantity to answer the purpose of a medium of exchange, began to depreciate; and y^e depreciation kept, and for ever will keep, pace with the increasing quantity of it. And this would have been the case with silver and gold in a like quantity, had their currency been circumscribed like the paper, and limited to the United States. But these, by y^e universal consent of mankind, being the common medium of exchange, suffer no other depreciation than what arises from an overplus quantity of them compared with the general commerce of the world; excepting, however, such partial and temporary alterations as are owing to the particular circumstances of any people at some particular times. Until we can get a sufficient supply of money, hard money, (which, in the present interruption of the American trade, is impossible, without a foreign loan,) our efforts, from y^e nature of things, cannot be so vigorous as the greatness and justice of y^e cause require.

The best substitute, and an effectual one if practicable, would be for each State to lay a tax on its inhabitants for the provisions and other articles wanted, and county magazines to be established for the reception of them; from whence they sh^d be transported to the places where they are needed, the wagonage to be included in, and make a part of, y^e tax. I hope, however, that the new, intended paper currency, by the goodness of the funds w^{ch} y^e several States may respectively establish for its redemption, will answer the expectations of Congress, and enable them, in conjunction with our great allies, to bring y^e war to a happy conclusion. You will have y^e goodness to excuse y^e imperfections of this hasty scroll, and to believe me to be, with every sentiment of respect, my dear marquis,

[JAMES BOWDOIN.]

BOSTON, July 10, 1780.

The Honble. the Marquis LAFAYETTE, at

YOUR most acceptable favor of the 25th ultimo I had the pleasure of receiving. I do not at all wonder that you are solicitous for our completing the number of troops necessary to fill up our battalions; and I have the satisfaction to tell you, that the Resolutions of the General Court of the 5th and 22d of June are intended for that purpose, and the Resolution of y^e 23d for the purpose of raising 4,700 of the militia as an additional aid,—the whole agreeable to the requisitions of General Washington and the co-operating Committee: of all which Resolutions, and of those respecting supplies agreeable to y^e same requisitions, copies have been repeatedly sent to the General and to the Committee, and also to Congress; and it would be a gratification to the Council to know they had been received. The battalion-men (about 5,000), I understand, are most of them on their march. The Superintendent of the County of Suffolk had, some days ago, despatched nearly the whole of that county's quota; and I presume, from the spirit which, it is said, generally prevails, the other county's quota is in y^e same forwardness: but we have not yet had returns made from them. I wish, my dear marquis, we were entitled to the compliment which your goodness and politeness have bestowed upon us, and that we could emulate the military character (the worthy part of it, I mean) of Cæsar and Alexander. Perhaps we might have made some approaches towards it in the instance alluded to, if like opportunities of obtaining money—the main sinew of war—had offered, and we had not been under y^e restraint of moral principles. But “heroism, patriotic spirit, and public virtue,” though they may effect great things at home, or within y^e verge of personal influence, yet, at a distance where that influence does not extend, and nothing can be had without money, they must be in a great measure inoperative, unless they should inspire their possessors, in the true Cæsarean and Alexandrian style, to take what they wanted without the consent of y^e owner; which, you know, does not comport with American ideas of liberty, nor with the modern ones of civilization.

I am much obliged to you for the state of things in your neighborhood. Though it has been very disagreeable, it will be every day meliorating; and, I hope, with such expedition as will enable General Washington to co-operate with our ally in the most effectual manner.

If I can procure any further intelligence relative to the subjects you mention, be assured I will do it ; and, by the first opportunity after, will communicate it to you. Good pilots, I presume, can be had. If there be any thing in which my son, in the character of a merchant, can be serviceable to the common cause, I know it will give him pleasure to execute it ; and you may depend on his assiduity and despatch.

I have the honor to be, with the warmest expressions of friendship and esteem, my dear marquis,

Yr. most ob^t and very hble. serv^t,

[JAMES BOWDOIN.]

BOSTON, July 29, 1780.

The Marquis DE LAFAYETTE.

DEAR SIR, — A cartel from Halifax is just arrived, after seventeen days' passage. A woman passenger brought the two letters [one for yourself, and the other for Gen^l Gates] enclosed, w^{ch} she delivered with an injunction of secrecy. I hope you will collect some useful intelligence from them. A gentleman [Mr. Hall] who went from hence in her, and now returned, tells me they were busily employed in fortifying the Citadel Hill and George's Island ; and they told him, that in three weeks they should not fear the whole navy of France. Part of the time he was there they allowed him to walk the town, but not to go to any place fortified : so that he cannot give any particulars on w^{ch} you are not already informed. They had been in expectation of a visit from a squadron of his most Christian m^y ; but, as the visit had been so long deferred, they imputed it to its being intercepted by British ships, or to an alteration of its destination.

There were no ships of war there ; but the militia in the town and from the country were, by detachments, employed on the fortifications, at the rate of a dollar per day. He understood that a major part of the people of y^e Province were on the American side of the question, but somewhat cautious about expressing their minds.

I am, with great affection and regard, my dear marquis,

Yrs., &c.,

[JAMES BOWDOIN.]

LIGHT CAMP, August the 20th, 1780.

DEAR SIR, — I am much obliged to you for the letters you was pleased to send to me ; and, had I not been hurried from Rhode Island to Camp, would have sooner presented you with my best

thanks. But the march of our army against New York did not permit me to tarry one minute at Newport ; and I had the happiness of acquainting Gen^l Washington with the generous exertions of your militia. I confess to you, my dear sir, that, as an American, I felt proud to show to the French Army such a specimen of American spirit ; and, as one who has so many reasons of wishing for the eternity of this alliance, I could not but admire and enjoy that friendly disposition wh. brought forth the people to the defence of their friends and allies. I made it a point to let the French officers know, that more concern had been shown for their safety, by the people at large, than would have been the case if they had been called for in support of their own Continental troops ; and I do assure you, my dear sir, that from the gratitude of the French Army, from their dispositions of esteem and amity towards their allies, I was happy to foresee that the union would be as pleasing to both as it is calculated upon a natural and common interest.

So sanguine as you have seen me upon the operations of this campaign, you may conceive that I very impatiently wait for a naval superiority. Many among the common people seem uneasy on account of the second division. But I can, as a friend, assure to you that a second division is to come, and that the intention of the French Court is to keep up such a superiority on our coasts as will soon put an end to the war. But we must confess, my dear sir, that, had we for the present a naval superiority, we would not, on our part, be ready to co-operate. The States have but half complied with the requisitions, and we fall very short of what was expected. Let us take care not to fall again asleep ; and, if circumstances give to us some few days to hide from foreigners that at the promised time we were not ready, let us improve those instants in sending on the remainder of the quotas, and also any supply of provisions, arms, and ammunition, that have been requested. This is not my language at Newport ; and, from my letters, they must believe that we are not backward in our preparations. But I hope the spirit of the States will rather increase than abate.

The letter from Halifax does not say any news, but confirms the accounts which you had the kindness of sending to me. I was very happy to hear of the fortunate event which puts out of the enemy's and within our hands so large a part of the Quebec fleet ; and, now that the enemy have collected their naval forces, I hope our privateers will gloriously improve the opportunity.

In requesting you will most respectfully remember me to your family, I have the honor to be yours,

LAFAYETTE.

His Exc^y JAMES BOWDOIN, Esq.

P.S. — In any occasion, my dear sir, Mr. Bowdoin will find in me a friend who will be extremely happy to do any thing that might be agreeable to him.

[Directed on the outside.]

“Public service.”

“The Hon^{ble} JAMES BOWDOIN,

President of the State of Massachusetts, Boston.”

“Lafayette, M.G.”

PARIS, May the 27th, 1786.

DEAR SIR, — I expected it would have been by this time in my power to write fuller to your excellency on the principal objects that are interesting to the commerce of Massachusetts. But, as nothing of importance has yet been settled, I am obliged to wait for another opportunity. We have discovered a duty, unknown to us, under the name of *droits de savon*, which affects the whale-oil, and is paid by the Anseatic towns. But you have passports for the *envoile* of two years, which we may, I think, apply to Mr. Barrett's bargain; and, in the mean while, we will examine what this duty is, and endeavor to have it abolished.

My endeavors to destroy the *farm generale* of tobacco have, for this time, been fruitless; and it was thought my plans would too greatly endanger that part of the public revenue. Government have taken measures to insure the sale of twelve or fifteen thousand hogs-heads of tobacco a year, besides the quantity that has been contracted for by Mr. Short.

I have had the honor to write to Mr. President Willard, to Mr. Sam. Adams, Mr. Warren, Mr. Swan, Mr. Breck, and other friends; but, fearing my letters have not come to hand, I will write again by the next opportunity.

I beg your excellency will portion my best respects to Mrs. Bowdoin, Miss Temple, and remember me most affectionately to all my friends in Boston; and have the honor to be, with the highest regard and attachment,

Your excellency's respectful and obedient servant,

LAFAYETTE.

[Gov^r. BOWDOIN.]

PARIS, May the 25th, 1788.

MY DEAR SIR, — This letter goes in a vessel of Mr. Barrett; and to him I refer myself for every intelligence from this side of the water. But I will not miss the opportunity to portion my respects to you and all the family, and to remind you of a friend who every day laments his absence from a dear and adoptive country. I am happy to find the Federal Constitution has been amended so much for the better; and it is my humble opinion, that although a few amendments could be made in the new system, yet it should be first accepted, as being, what it certainly is, the best Constitution that has been hitherto heard of. America wants to retrieve her consequence; a part of which, I grieve to find, has been lost since the war: and, I confess, I never will be easy until she has every interior and exterior advantage which her natural situation, and the virtues, the liberality, the superiority, of her citizens, cannot fail to insure. May the United States, may your own State and the town of Boston, be as happy as I wish them, and I defy any man to think of a blessing that they would not, at that rate, have got. I beg you to present my best compliments to Dr. Willard and all other friends.

This will be delivered by M. de Unville and M. de la Teniers, two French gentlemen, who are travelling through America, and whom I beg leave to recommend to you.

I have the honor to be, with the most affectionate regard, my dear sir,

Your obedient, humble servant,

LAFAYETTE.

Mr. BOWDOIN, Boston.

We are very busy in our endeavors to get a Constitution for this country; for which it is rather inconvenient to have so many thousand bayonets in our way.

The President called attention to a small manuscript volume, — a narrative, by Captain Philip Besom, of his adventures as a privateersman in the war of the Revolution, and also in the war of 1812, — recently presented to the library by our associate, Mr. Lawrence, — a gift from the writer to his late honored father, Amos Lawrence, Esq.

Captain Besom's Narrative.

In the year 1771, I commenced going to sea, from Marblehead, in the merchant service ; and returned from the last voyage, previous to taking any part in the Revolutionary War, immediately after the battle at Concord : at which time, in consequence of an English sloop-of-war being in Marblehead harbor, we proceeded directly to Salem ; from which place my father sent the cargo to Andover, where he had removed his family ; and left me and one other young man to take care of the vessel. On the 17th of June, 1775, I returned to Marblehead, and, with seventeen more young men, proceeded to Bunker Hill ; but, finding it impossible to cross the ferry, returned back to Marblehead. I then went to Andover, and enlisted as a soldier in Captain Abbot's company, which was attached to Colonel Hitchcock's regiment in Roxbury ; from which place we were sent to Dorchester Heights, and remained there until the English left Boston. I then went with my father to Lyndesborough, and remained there until 1777 ; when I left his house, unknown to any of the family, and went back to Marblehead again, and shipped on board the privateer "Satisfaction," of fourteen guns, Captain John Stevens. We went to sea immediately ; and, during that cruise, captured four English ships, one of which carried sixteen guns. On my return from that cruise, I went on board the brig "Fanny," of fourteen guns, Captain Lee ; and captured on the Banks of Newfoundland, after a severe engagement, an English ship of fourteen guns, the captain of which we killed. We destroyed fifteen Newfoundland fishermen ; and proceeded to cruise in the channel of England, where we captured a French brig laden with English goods. I was put on board of her as prize-master, and succeeded in getting her into Marblehead. The privateer afterwards went on shore in Mount's Bay ; and the crew were taken prisoners, and sent to Mill Prison. I then entered on board the ship "Brandywine," intending to cruise about the shores of Nova Scotia : but, being chased into a harbor by an English sloop-of-war, we were compelled to run our vessel ashore ; when one other young man and myself set fire to her, and took to the woods in order to make our escape. We travelled about ten miles ; then returned to the shore, and, finding three whale-boats, took them, and succeeded in getting home. I then sailed with Captain St. Barbs, from Newburyport,

for North Carolina. After arriving there, we were blockaded by an English squadron, and were obliged to travel home. I then sailed in the ship "Freemason," Captain Conway. We captured four vessels. I returned, and entered on board the ship "Monmouth," of twenty guns, commanded by Thomas Colyer. We captured four prizes; one of which, loaded with brandy, I was put on board of as prize-master: was taken by an English privateer, and carried to Bristol; from which place I ran away, and succeeded in getting to a town called Kingswood; where I, together with another young man, by the name of Thomas Johnson, of Salem, shipped on board an English brig bound to New York. We soon became acquainted with the English sailors; and, after some consultation, agreed to rise upon the officers, take the brig, and carry her to Marblehead. When we had sailed as far west as Nantucket Shoals, we did take the brig, and had her in possession two days; when we unfortunately fell in with the English sloop-of-war "Hunter," bound to New York, with the news of their having destroyed the American squadron at Penobscot. We were retaken, carried to New York in her, and put on board a sloop-of-war at Sandy Hook. News of what we had done was immediately communicated to the commander of the "Russel," seventy-four, — which, together with the Cork fleet, was bound directly to England, — [who] gave orders to have the leaders in the affair brought on board his ship, to be tried for their lives. We were then taken out of irons, and went to the boat; viz., myself and an Englishman. We were placed in the stern sheets. The boat's crew consisted of six men, commanded by a lieutenant, assisted by a cockswain. The ship lay at a considerable distance: and the sloop in which we were being to the leeward of them, and the wind favorable to our design, as we were going to the seventy-four, the Englishman knocked the cockswain overboard; I knocked the lieutenant down, took his pistols and dagger from him, and, putting the boat before the wind, made for the shore.

As soon as we landed, we obliged the boat's crew to go before us until we reached a house. We told the man residing there that we were refugees, and asked for help. He informed us that Colonel Washington was stationed at Middleton, only four miles' distance, with a regiment. We started off for his quarters; and, on arriving, were taken for spies, and placed under guard for three days: after which time, I, together with the young man, w[as] set at liberty, and proceeded to Amboy, where Lord Stirling was stationed with a

brigade ; who generously gave us a good dinner, and forty dollars in money to assist us in getting home.

I then sailed in the ship "Aurora," of twenty guns ; Thomas Colyer, master. We took four prizes ; had an engagement with two ships and a brig, in which we lost five or six men ; and were obliged to retreat, and return home. I then sailed for Guadaloupe, mate of a schooner ; and, on returning, was taken, and carried to Bermuda ; but, in consequence of there being no provisions for us, we had the liberty of going at large. Here we found a ship, which we rigged for St. George's ; but proceeded to a place about opposite, on the same island, called Salt Kettle, where I shipped on board a schooner bound to Turk's Island for a cargo of salt for Halifax. We agreed to take the schooner as soon as we arrived on the coast : but, on our passage to Turk's Island, we were obliged to cut away our masts in a gale of wind, in order to save the schooner ; and we put for Jamaica. When we arrived off Cape François, we took her, and carried her in there : but the governor seized the schooner, and caused us to be put in prison, where we remained four days, being obliged to beg of strangers part of a subsistence ; when it happened that Colonel Thorndike, having arrived there in a letter of marque, was accidentally passing by. I asked of him some trifle. He inquired the cause of my imprisonment. I informed him ; and he, together with some American captains, prevailed on the governor ; and we were taken from prison, and sent home in a letter of marque.

I then sailed in the privateer "Montgomery," of fourteen guns, — John Carnes, master, — from Salem, to cruise on the West-Indies' coast. We took three prizes, fought a ship of sixteen guns, and had seventeen men killed and wounded ; after which we captured a schooner for New York. I came home as prize-master of it.

My next cruise was with the same person, John Carnes, in the ship "Porus." We captured four prizes. I returned home in one, and proceeded immediately to sea in the letter-of-marque ship "Cato," Captain John Little, for Virginia. She mounted fourteen guns, and had a crew of fifty-seven men and boys. We loaded with tobacco, and proceeded to sea ; but we had scarcely cleared the capes before we fell in with three English privateers, — one of which carried sixteen guns ; one, fourteen guns ; and a sloop, eight guns. We fought them from two to four, P.M. ; when they attempted to board us : but, the largest of them having lost a considerable part of their crew, we succeeded — after having our foremast a little

below the top, and our mizenmast above the top, cut away — in beating them off; and we continued on our voyage to Nantes, in France, where we arrived without any other trouble. On our return home, we made one prize; but, happening to spring a leak, were compelled to stop at St. Andero (?), in Spain, and repair our vessel. We arrived home in March, 1783.

During the whole of the last war (of 1812), I commanded a privateer. One cruise was taken by the "Junon" frigate, Captain Hupton (?); who, soon after my capture, landed me on the Manchester shore, Mass. At another time, I was taken by the "Bulwark," seventy-four, Captain Epworth, who sent me to Halifax. I took only four prizes during the war.

[Appended to the narrative of Captain Besom, in the original manuscript, is the following note.]

The foregoing narrative was given to me by Philip Besom, of Marblehead; and, from my acquaintance with the old gentleman, I think the facts stated may be correct. He had all the resolution and hardihood necessary to carry out such enterprises as are stated: but he has omitted some very interesting particulars of his history and experience; such as his voyage to St. Domingo during its revolution, and after the massacre, when it was worth a white man's life to be found among them. Besom, being *dark*, traded with them; giving them codfish at an enormous price, which the freed blacks needed, and took in exchange coffee, for a mere nothing; and loaded his ship, went to St. Petersburg, sold his coffee at an enormous price, loaded his vessel with a valuable cargo for the United States, and returned to Salem; bringing the only account of himself that Mr. William Gray, his owner, received after his leaving Salem for St. Domingo. The adventure that Besom had in India, by which he rendered important services to the British East-India Company, was acknowledged to him; and a beautiful service of plate, of four or five hundred ounces, was presented to him.

AMOS LAWRENCE.

BOSTON, March 24, 1841.

[Mr. Besom represented the town of Marblehead in the Legislature in 1880.]

Mr. ROBBINS (J. M.) presented and read the following autograph-letters of Governor Hutchinson:—

MILTON, 22d June, 1770.

DEAR SIR,—I will take every precaution which is in my power, which I wish was greater than it is ; and am

Yours sincerely,

T. H.

In answer to a letter informing him that the towns-people of Boston, since seeing Cap Preston's printed case, threatened his life. — [*Note indorsed on the letter.*]

LONDON, 23d July, 1774.

DEAR SIR,—I am much obliged to you for so early a letter. You will find, before you have travelled through Cardinal de Retz, an observation of the Prince of Condé, when he was informed of the abusive charges and suspicions against him,—that the authors had no other ground, except that, if they had been in his place, they knew that they would have done themselves what they suspected him of doing. I am not only free from any share in the three acts of Parliament, but I am also willing to own that they are so severe, that, if I had been upon the spot, I would have done what I could, at least, to have moderated them ; and, as to the first of them, I have all the encouragement possible to hope and believe that my being here will be the means by which the town of Boston will be relieved from the distress the act brings upon it, more speedily and effectually than otherwise it would have been. Lord Dartmouth has more than once assured me that he is of the same opinion, and that he should have been glad to have seen me here, if he had no other reason for it than that alone. I wish for the good opinion of my countrymen, if I could acquire it without disturbing the peace of my own mind. Those persons here, whom they have always supposed their best friends, express themselves as favorably of my conduct as those who are called their greatest enemies ; and Lord Rockingham treats me with as much politeness, and makes as high professions of esteem, as Lord North. Although the town is said to be empty, my whole time has been taken up in receiving visits, and complying with invitations, from persons of the first rank : and I have had but little other opportunity for business ; but, after next week, hope to come to it.

I am obliged to Miss Murray for her agreeable company upon the passage and since we have been in London. She left us yesterday ; but she knows that she shall be, at any time that will be convenient for her, welcome at my house as long as I keep one in England. If

I go down to Scotland, as I intend, I expect to take my daughter with me as far as Norwich, and leave her a few days at your brother's house. I am

Your most obedient, humble servant,

THO. HUTCHINSON.

MR. MURRAY.

ST. JAMES'S STREET, Feb. 24, 1775.

DEAR SIR, — Ever since the receipt of your last favor, Mr. Robinson has been in such a state, that nobody has been suffered to say any thing to him upon business of any kind; and it is the opinion of many people that he never will be capable of business again.

I am sure it would be to no purpose to speak to Lord North upon the subject of your letter to Mr. Robinson. In pecuniary matters, he is parsimonious beyond example; and, in my own personal concern, I should not have succeeded if my security had been any thing short of the public faith, of which he is a very conscientious observer.

Your account of the state of your town and province affairs excites indignation on the one hand, and pity on the other. Government here, though slow, I trust are firm. A Resolve in the House of Commons, which is to go to the Lords, seems rather calculated to stop the mouths of people here than to serve any valuable purposes with the people in America; for I never supposed there was any greater disposition in the Americans to raise moneys for general service, by the authority of their own Assemblies, than to submit to a tax laid by the authority of Parliament. There was great joy for four and twenty hours, upon a report that the demands of the Americans were complied with, and that the ships and troops were recalled: but it was not very extensive, and was all over as soon as it appeared that four regiments in Ireland, which had only received orders to be in readiness before, were presently after ordered to embark as soon as transports should be ready; and the armament will not be delayed a minute on account of the Resolve. I wish any other way than actual declaration of Rebellion, and warlike measures in consequence, could have been made to answer the purpose of restoring us to order; but it is said here, that every lenient and moderate measure has been tried without success, and that the dernier resort in all governments is now become absolutely necessary. I am sure they have often been warned, — I mean my countrymen,

— with a sincere desire to prevent it, that they would certainly bring this calamity upon them.

Your niece has been in town about a month past ; and, as writing is no labor to her, I dare say you will hear from her. I am now more anxious than ever to hear often from my friends in America. I am,

S^r, your faithful, humble serv^t,

THO. HUTCHINSON.

JAMES MURRAY, Esq.

LONDON, NEW BOND STREET, March 3, 1777.

DEAR SIR, — I thank you for a very obliging letter of the 12th January from Newport. It gave me pleasure to reflect that I had wrote to you, some weeks before the receipt of your letters, to New York. I am glad to hear that you have met with no more difficulties since you left Boston. I have advantages here beyond most of the Americans, as I have a very extensive acquaintance with the best people ; but I prefer the *natale solum* to all other : and it will give me great pleasure to hear you are peaceably settled at Brush Hill, and that I may settle as peaceably on Unkity Hill. I hope to live to see not only my Milton neighbors, but the people of the Province in general, convinced that I have ever sincerely aimed at their true interest ; and that, if they had followed my advice, they would have been free from all that distress and misery which the envious, restless spirits of a few designing men have brought upon them.

I have been charged in America with false and unfavorable representations of the people there. I am charged here with neglecting to give advice of their intentions to revolt, and representing the body of the people as disposed to live quietly under the authority of Parliament, and to take no exception to any other acts than those of taxation, which I ever endeavored to discourage. General Conway, in a speech last session, unexpectedly to me, gave me credit for it ; and Almon has printed his speech in one of the “Remembrancers,” though he enlarged more than is printed on the subject, in my favor.

I send you one of the books (for I think it may be of service to have it known), and the extract in the papers. It will make me happier still, if, when the Colonies come to be resettled, — as I hope they will, — I may be instrumental in securing every liberty, which, as British subjects, they are capable of enjoying.

I am obliged to you for inquiring into the state of my farm on Conanicut. I had been improving it by fencing, planting, &c., for near forty years ; but all my labor is lost. And I fear my estate at Milton is not in much better order. At least eleven hundred pounds sterling was taken out of my house, and off the farm, in movables. I know not how to obtain redress.

You mention my son E——'s coming over to America. I believe he would go if he had not wrote to his wife encouraging her to come to England. If she should not come, I shall endeavor to persuade him to go in the summer, if nothing unfavorable in American affairs intervene.

I hear the American refugees are many of them expecting to remove, in the latter part of the spring, to New York or Halifax, that they may be near Boston.

My family has been in tolerable health until within four or five weeks past that my daughter Peggy has been in a poor state from these wretched coughs, attended with a fever, which makes me very anxious ; though, I hope, as the spring comes on, she may recruit.

I say nothing about public affairs, nor do I ever concern myself with them : nor am I ever inquired of or consulted about them ; and I am glad I am not. It is astonishing, considering the immense expense of this war and the stop put to the American trade, that nobody seems to feel it. Every merchant and every manufacturer, except a few who were factors for America, are as full of business as ever ; and, in the manufacturing towns, they are fuller of business, from the increase of demand in other branches, than before the American War. With this amazing empire it is the unhappy case of my poor country to contend. May God Almighty, in mercy, put an end to this contest ! Your brother's family is well. Adieu ! I am

Y^r faithful, humble serv^t,

T. H.

JAMES MURRAY, Esq., of Milton, in Mass. Bay. At Newport, R.I.

Mr. FOLSOM exhibited one of the original transcripts, magnificently bound, of the "Solemn League and Covenant" signed at Glasgow, December, 1638. This was one of the copies circulated in Scotland, and bears the autograph-signatures of many illustrious persons.

MR. FROTHINGHAM (R.) read, from a volume of the Heath Papers in the Society's Collection, the following letter, written by General Joseph Warren to General Heath, dated Cambridge, 16th June, — the day preceding the battle of Bunker Hill, — which he believed to be the last letter ever written by Warren, and requested permission to copy the same; which was granted.

CAMBRIDGE, June 16.

MY GOOD FRIEND, — Every thing is now going agreeable to our wishes. General Ward has recommended to the Congress to take the [] we determined upon yesterday. Nothing is wanting but for you to make a return of your regiment; which I wish may be done without a moment's delay, as there is an absolute order of Congress that the brigadiers shall be chosen out of the colonels.

I am your most obedient, humble servant,

JOS. WARREN.

GENERAL HEATH.

(Superscribed) General Heath, camp at Roxbury. To be delivered immediately.

The President read two valuable letters from Roger Williams to Governor Winthrop, and also a letter from the latter to the former. These letters form a part of the large collection of Winthrop Papers in the President's possession, and will be published, in a volume in the course of preparation, under the direction of the Committee on the Winthrop Papers.

MR. SAVAGE read a letter from Rev. Thomas Prince, addressed to Benjamin Lynde, Chief-Justice of the Province of Massachusetts Bay; and remarked upon it at length, as evincing the extreme care and diligence with which Prince sought information in order to give accuracy and exactness to his chronology.

BOSTON, Tuesday, Aug. 10, 1736.

DEAR S^r, — Extremely oblig'd wth your account of Salem. This comes to ask you a few questions upon it. S^c, —

1. Whether you have a certain written record, that M^r Skelton as pastor, M^r Higginson as teacher, & M^r Houghton as ruling elder, were all 3 separated to their several offices on y^e same day; & that this was by y^e imposition of y^e hands of some of y^e brethren appointed by y^e church thereto; & that this was on y^e 6th of August, 1629.

2. Whether the church was gathered, & these several officers both chosen & ordained, all on y^e same day; or, if not then, I would ask, when was y^e church gathered? & when were these officers chosen?

3. Whether M^r Samuel Sharp was chosen & ordained ruling elder at y^e same time with M^r Houghton; or, if not then, when was M^r Sharp chosen & ordained?

4. What was M^r Houghton's Christ'n name? & whether you cannot recover y^e precise time, or month at least, of his death.

5. Whether this M^r Sharp was y^e same who had y^e 1st oversight of your ordnance; or what civil office had he among you; & whether he died at Salem, or removd.

6. Whether y^e precise time of M^r Francis Higginson's death cannot be recovered.

7. Whether you do not mistake *July* for *June*, 1630, y^e time when Gov. Winthrop arriv'd at Salem; or whether you have any written record to determine this matter, &c.

8. When M^r Peters was chosen & ordain'd at Salem, or whether he was ordain'd or invested in office at all; and whether there be not a mistake in y^e year 1646, said to be y^e time of his return to England; or whether y^e precise time can be recovered.

Y^e chronology staying for this intelligence, your speedy answer is earnestly desired, & will greatly oblige

Your respectful & affectionate friend & servant,

T. PRINCE.

The President communicated from our associate, Mr. Minot, the following Memoir of the late Hon. Samuel Hoar, prepared agreeably to a vote of the Society: —

M E M O I R

OF THE

H O N. S A M U E L H O A R.

THE high estimation in which Mr. Hoar was held in this Commonwealth, and especially by those persons connected with him by political and civil relations, and in various associations for the diffusion of knowledge and the improvement of the moral condition of his fellow-citizens, has been proved by the testimony of numerous friends, and in memoirs and eulogies in the public journals; so that the writer of this notice will aim only to give a brief and succinct account of the life and character of this excellent man.

The father of Samuel Hoar was a farmer of great respectability in the town of Lincoln, in the county of Middlesex; and so much distinguished was he by his intelligence and influence, that he represented his county in the Senate of the Commonwealth.

Mr. Hoar was born in Lincoln, on the eighteenth day of May, 1778. While engaged in his literary education, he was also occupied in the labors of the farm; and thus acquired an acquaintance with agricultural affairs, and a love of country life, which he retained as long as he lived. His preparatory studies were completed in his native town, under the instruction of the Rev. Dr. Stearns, the master of an academy which for many years enjoyed a high reputation.

Among a large number of pupils, Samuel Hoar was considered the first scholar. In July, 1798, in his twenty-first year, he entered Harvard College, better fitted than most of his classmates. He was a thoughtful lad, fully aware of the advantages of education offered to him, and determined to avail himself of them; and he wisely persevered in his determination. His superior age and his studious habits disinclined him from indulging habitually in the sports and frolics of his younger classmates; yet he was not unsocial or reserved, and was generally beloved by his class.

He passed through his literary course with distinguished honor, and left the university with an unblemished character and a pure mind, enriched with various learning, and qualified to engage with success in any profession into which he might incline to enter.

His preference was soon given to the bar; for which he was well fitted by his taste for metaphysical investigations and his strong powers of reasoning.

For nearly two years after he graduated, he was engaged as a private tutor in Virginia. Though he was kindly and respectfully treated by the family in which he resided, he imbibed there a strong abhorrence of the condition of domestic slavery, which he never lost.

On his return from Virginia, he entered the office of Artemas Ward, Esq., of Charlestown; where he prosecuted his legal studies until his admission to the Middlesex bar, in September, 1805. Mr. Ward, afterwards Chief-Justice of the Court of Common Pleas, was one of the last of the old-fashioned race of black-letter lawyers (now extinct in Massachusetts), who loved to plunge into the profound learning of Coke, Hale, and Plowden, and who preferred the principles of jurisprudence to the decisions of cases. From such a master, Mr. Hoar went to the bar with a mind imbued with a taste for legal science, and well qualified to apply it in a liberal manner to the practice of his profession.

He opened his office in Concord, and was soon extensively employed.

For several years, three gentlemen of eminence had nearly monopolized the business of advocates at the Middlesex bar;* and so long had their exclusive claims been submitted to, that the attempt of a young lawyer to argue a cause which he himself had originated was almost deemed an encroachment on the privileges of the seniors. This assumption, Mr. Hoar would not submit to; and he, with a cotemporary friend,† resolved to resist the claims of the seniors; and they entirely succeeded in opening all branches of the practice to those who were qualified to execute them.

Not long after this, Mr. Hoar became a leader, and was usually retained in every case of importance in his own county, while his reputation gradually extended to the neighboring counties; and, though he was averse to going out of his own circuit, he was frequently employed in Suffolk, Worcester, and Essex.

He was no rhetorician, and made no pretensions to eloquence; but his strong good sense, his serious and earnest manner of speaking, added to his high reputation for sincerity and probity, and his conscientious manner of stating his case, gave him great power and influence with the jury. This was manifested in the trial of a capital case in Essex County, in 1831; where several parties were implicated in the charge of an atrocious murder, and the public mind was highly excited. The first talent in the State was engaged in the prosecution; and, after the conviction of the principals, certain supposed accessories were prosecuted with great zeal and eagerness, and were in danger of an undeserved conviction. For one of these, Mr. Hoar was engaged. He succeeded in tranquillizing the minds of the jury, and allaying the public prejudice

* Artemas Ward, Timothy Bigelow, Samuel Dana.

† Augustus Peabody.

against his client; and, opposed to a powerful array of talent, obtained a verdict of acquittal.

He had little taste or inclination for political life; preferring the practice of his profession, and the leisure and retirement of his quiet home. A man, however, of his talent and character, could not live in obscurity: the public knew his powers, and claimed the exercise of them for the public good. This claim he could not always resist; and, though by no means popular in the vulgar sense of that term, his integrity and disinterestedness were universally known and admitted; and he was repeatedly elected to offices of honor and confidence in his own town and county, and, in 1835, to the Congress of the United States. The Journals of the House of Representatives attest the fidelity with which he executed his duties in that body. He watched the course of business with a vigilant eye; and prevented, by judicious amendments, several attempts of the advocates of extreme measures. He made no speeches for *Buncombe*, and seldom addressed the House at much length; but, when he thought proper to do so, he was listened to with respect and attention.

In 1844, the Legislature of Massachusetts was greatly excited by the existence of Negro slavery in the Southern States, and especially by the illegal and cruel practice of imprisoning colored seamen on their arrival in Charleston in Northern vessels; which afforded a suitable occasion to our abolitionists for proclaiming their abhorrence of slavery. Accordingly, a resolve was passed for the appointment of commissioners, with power to institute suits in one or two Southern States, to test the legality of the Charleston practice. Mr. Hoar accepted the appointment of commissioner for South Carolina; and proceeded to Charleston, accompanied by his daughter.

His reception justified the fears of some of his friends, and, but for the courage and dignified bearing of Mr. Hoar, would have been marked by savage violence. The mission

was attended with no other results than to disgrace the character of the people of Charleston, and to aggravate the increasing hatred between the two sections of the country.

In the latter part of his life, Mr. Hoar relinquished the practice of his profession and all official employments, and devoted himself principally to his books and his farm. He was a zealous advocate of the cause of humanity in every form, and gave much of his time to promoting temperance, and the religious and moral education of the people. He was particularly interested in the experiment of improving the condition of idiots and feeble-minded children, and had the satisfaction to witness its success in greatly increasing the intelligence and comfort of that unhappy class of our fellow-beings. He was a member of various religious, literary, and charitable societies, whose meetings he attended with great regularity. The distinguishing characteristic of Mr. Hoar was an exact and conscientious discharge of every duty incumbent upon him. What he believed he ought to do, he did with calm energy, not embarrassed or deterred by difficulties. There was no indifference or indolence in his composition. No duty was minute enough to be postponed or neglected, and no form of service to the public or individuals became hackneyed by repetition. The hour and place were always remembered and observed.

Mr. Hoar spent the remainder of his life, after his retirement from the bar, in the town of Concord, singularly blessed in his domestic relations, and in the midst of a refined and intellectual society.

Few men like him have received so ample a reward, in this world, of a long and virtuous life. It was exempt from any serious calamity. By a course of uniform integrity and fearless independence, it secured the respect of the wise and the good. The world gave him honor and confidence; and his piety, liberality, and disinterestedness gave him that peace which the world cannot give.

He died at Concord, on the 2d of November, 1856. On a monument erected to his memory, in the cemetery of that town, is the following just and beautiful inscription:—

SAMUEL HOAR OF CONCORD.

Died in Concord, Nov. 2, 1856.

Born in Lincoln, May 18, 1778.

He was long one of the most eminent lawyers
And beloved citizens of Massachusetts.
A safe counsellor, a kind neighbor, a Christian gentleman,
He had a dignity that commanded the respect,
And a sweetness of modesty that won the affection,
Of all men.

He practised an economy that never wasted,
And a liberality that never spared.
Of proud capacity for the highest offices,
He never avoided obscure duties.
He never sought stations of fame or emolument,
And never shrank from positions of danger or obloquy.

His days were made happy by public esteem
And private affection.

To the latest moment of his long life,
He preserved his clear intellect unimpaired;
And, fully conscious of its approach, met death
With the perfect assurance of

IMMORTAL LIFE.

W. M.

FEBRUARY MEETING.

The Society held its stated monthly meeting this evening, Feb. 13, at half-past seven o'clock; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the Historic Society of Lancashire and Cheshire, England; Dartmouth College; John Appleton, M.D.; Mr. George Arnold; William T. Coggeshall, Esq.; Arial J. Cummings, Esq.; Hon. Charles P. Daly; Rev. Benjamin Dorr, D.D.; George Homer, Esq.; Rev. Nicholas Hoppin, D.D.;

Benjamin P. Johnson, Esq. ; Messrs. James Munroe and Co. ; Rev. Edwin M. Stone ; and from Messrs. Deane, Hudson, Lincoln (S.), Metcalf, Park, Robbins (C.), Savage, and Winthrop, of the Society.

The President presented a lithographed photograph of a beautiful design for a monument about to be erected to Columbus in his native city (Genoa), under the auspices of a distinguished Genoese nobleman, — the Marquis Brignole Sale. The original cast of this design had recently been sent out to the Boston Public Library by Mons. Vattemare, to whom it had been given, by the Marquis himself, for transmission to America.

The President said that our cabinet was getting to be rich in weapons of war. We already had the swords of Miles Standish and Governor Carver, and others of the Pilgrim Fathers. We had also the two memorable Bunker-Hill swords, which came to us from our lamented friend Prescott. And now, to-night, the sword of Sir William Pepperrell, the hero of Louisburg, was presented to us by our Corresponding Member, Dr. Usher Parsons, of Providence, R.I. The card accompanying this sword contained the following account of it:—

“This sword was purchased by Judge Chauncy, administrator on the estate of Sir William Pepperrell ; and, after many years, he sold it in 1796 to Samuel Leighton, of York County, Me. ; who, after resigning his commission as general, presented it in 1852 to his kinsman, the present donor of it to this Society in 1862. It was worn at the siege of Louisburg, 1745.”

It was rendered the more interesting as coming to us from one who had not only evinced his appreciation of the heroism of others, in his excellent biography of

Sir William Pepperrell, but who had rendered personal service to his country, as a surgeon in the navy, under the gallant Commodore Perry.

Voted, That the thanks of the Society be communicated to Dr. Usher Parsons for his valuable addition to our cabinet.

The President said that he had received a communication from Major-General John A. Dix, of the army of the United States, which would tell its own story, and which he proceeded to read, as follows:—

Head Quarters, BALTIMORE, June 23, 1862.

HON. ROBERT C. WINTHROP.

SIR,— I have the pleasure of sending to you, for the Massachusetts Historical Society, the collection of secession emblems which I have made, and which I referred to in a former letter:—

First, A secession flag. This flag was taken from a party of men near North Point, where the British Army landed in 1814. They were on their way to the insurgent States. The flag was found in the carpet-bag of Mr. George A. Appleton, a young gentleman of this city, about eighteen years of age; a grandson of Colonel Armistead, who defended Fort McHenry at the time the "Star-spangled Banner" was written. Young Appleton was sent out of Fort McHenry, on the anniversary of the battle of North Point, for infidelity to the same flag; and was imprisoned for some time at Fort Columbus in the harbor of New York, and more recently at Fort Warren in the harbor of Boston. He is now in this city, awaiting the action of the Government in his case.

Second, A flag representing the arms of the Colony of Maryland. This flag was flying over a building which was a place of resort for certain disloyal members of the old Kane police, after their disbandment by the order of the Federal Government. They dared not use the secession flag, and this was adopted by them as a substitute. It was first noticed by Colonel Wyman of the Sixteenth Regiment, Massachusetts Volunteers, who called the attention of the police to it.

I enclose a letter from George R. Dodge, Esq., Provost Marshal of Baltimore, concerning both these flags.

Third, A pair of secession slippers, taken, by the police in Baltimore, from a person on his way to the shoemaker to have them made up.

Fourth, A secession cap, taken from R. A. Bigger, a prisoner now in Fort Warren, who was taken into custody in Baltimore, while secretly recruiting for the insurgent army.

Fifth, A great variety of secession emblems, songs, envelopes, cockades, &c., &c.

I am, very respectfully, your obedient servant,

JOHN A. DIX, *Major-General*.

BALTIMORE, Oct. 12, 1861.

Major-General J. A. DIX.

DEAR SIR, — I send herewith two flags, captured by our police force. The white flag was captured by Lieutenant Carmichael and a squad, when flying from its staff on Gallows Hill, near Camp McClellan, at that time occupied by the Sixteenth Massachusetts Regiment, Colonel Wyman, who called my attention to it. It is the colonial flag of Maryland, representing the arms of the State, availed of by the secessionists when prevented by our police from hoisting the secession flag proper, considered by our loyal citizens as a secession dodge.

The other is the secession flag proper, got up at the time when eight States had seceded. Hence there are but eight stars in the field. It was captured by Sergeant Pryor and squad, near the spot where General Ross was killed Sept. 13, 1814, at the battle of North Point. Our force captured a party of twenty-one men, *en route* for the Confederate Army; and this flag was in their possession. It affords me much pleasure to present them to you, in order that they may be preserved, that posterity may observe the wretched tricks and devices availed of by traitors to bolster up the most causeless rebellion recorded in history. Please present it, in your own name, to such society as you may think proper.

I am, with great respect, your obedient servant,

GEO. R. DODGE,

Major-General J. A. DIX,
Com. Department of Pennsylvania, Baltimore.

Provost Marshal, Baltimore.

The various articles accompanying the letters were then exhibited to the Society, and referred to the custody of the Committee appointed to collect memorials

of the Rebellion. Thereupon the following resolution was unanimously adopted:—

Resolved, That the thanks of the Society be communicated to Major-General Dix for making our Society the depository of so many interesting and curious illustrations of the lamentable disloyalty of others, and of his own patriotic vigilance.

The President communicated the following letter from the celebrated Robert Boyle, giving an account of the presentation of a copy of John Eliot's Indian Bible to Charles II., not long after his restoration to the throne:—

These for my hono^r freind Mr. John Winthroe, the elder, the Gouvernor of Connecticut in New england, present.

LONDON, Apr. 21, 1664.

S^r The errand of these hasty lines is to giue the bearer D^r Sackuill, Physitian to his Majesty's Commissioners, an opportunity of growing acquainted wth you, and to recomend him to you, as a person that has been represented to me very ingenious and Inquisitiue, by a Gentleman of White-hall that is soe himself. And perhaps it will not be inconuenient for you to haue by his meanes an address at all times to the Commissioners, & an informatiō of y^e state of things here. there not being any thing to be soe much apprehended in their embassy (as I may soe call it) into New England as the easily euitable want of a right vnderstanding betwixt them & the planters. I waited this Day vpon the King wth your translation of the Bible, w^{ch} I hope I need not tell you, he receued according to his custome very gratically. But though he lookd a pretty while vpon it, & shewd some things in it to those that had the honour to be about him in his bedchamber, into w^{ch} he carryd it, yet the Vnexpected comming in of an Extraordinary Enuoyé from the Emperour hindred me from receueing that fuller expression of his grace towards the translators and Dedicators that might otherwise haue been expected. But both he and my Lord Chancellor doe express themselves on almost all the occasions wherein I haue had the honour to heare them speak of the Collony of Newengland, in a

very fauourable manner, & my Lord Chancellor did very seriously assure me, & gaue me commissiō to assure some of yo^r freinds in the Cyty, that the King intends not any Injury to your charter, or the Dissolution of your siuil Gouernment, or the infringing of your Liberty of Conscience and that the doeing of these things is none of y^e business of the Commissioners. And his Lo^p was pleasd not only to tell me this betwixt him & me alone, But to be soe free wth me as to offer me, if I should Desire it, when his fitt of the gout was ouer, a sight of the Instructions themselues; w^{ch} by some accident I was hindred from calling vpon him for. The Bearer of this letter is to goe soe early in the morning, and 'twas soe late this night before I knew that he intended to doe soe, that I haue only time to add one word by way of freindly aduice, w^{ch} is that you would preuent the proposalls that you suspect may be made you by the Commissioners by doeing, as many of them [as] you think fitt to comply wth of yo^r owne [ac]cord, And soe make those things the expressi[on of] your loyalty and affection, rather then barely of your obedience, such a course being that w^{ch} would be much the most acceptable to the King, in the opinion of S^r

Your very affectionate humble seruant,

RO: BOYLE.

I tooke an opportunity to Day to doe your Colony some good offices at Court, and to shew the exercises of yo^r indian scollars. If you please to assist D^r Sackuill, I may by both your fauours receiue such an information of those seuerall particulars (or some of them at least) wherein the Naturall history of New england or any part of it differs from ours, as will be very welcome to me.

Indorsed "Mr. ROBERT BOYLE, rec. July, 1664."

It appears that Eliot's Indian Bible was first dedicated to the Parliament in 1659; but, after the Restoration, it was dedicated afresh, by the Commissioners of the United Colonies, to the king. Lord Clarendon was the chancellor alluded to by Boyle; and the "embassy," of which Dr. Sackville was the physician, was that of Colonel Nichols, Sir Robert Carr, George Cartwright, and Samuel Maverick.

Mr. LIVERMORE stated, that the reading of this letter recalled to his mind a circumstance connected with the publication of the second edition of Eliot's Indian Bible. In examining the copy of that work belonging to the Prince Library, deposited with the Massachusetts Historical Society, he had found a letter of dedication addressed to the Hon. Robert Boyle, &c., which had not previously been noticed. Finding that this dedication was wanting in all accessible copies of that edition, he had caused a fac-simile of it to be printed, and sent to each library containing a copy of this ancient Bible. Shortly after, a duplicate of the original dedication was found among the miscellaneous papers in our own archives, and was inserted in its appropriate place in the Society's copy of the Bible. The dedication is as follows:—

To the Honourable Robert Boyle Esq: Governour, And to the COMPANY, for the Propagation of The Gospel to the Indians in New-England, and Parts adjacent in America.

Honourable S^{rs}. There are more than thirty years passed since the Charitable and Pious Collections were made throughout the Kingdom of England, for the Propagation of the Gospel to the Indians, Natives of His MAJESTIES Territories in America; and near the same time: Since by His late MAJESTIES favour of ever blessed Memory, the Affair was erected into an Honourable Corporation by Charter under the Broad Seal of England; in all which time our selves and those that were before us, that have been Your Stewards, and managed Your Trust here, are witnesses of Your earnest and sincere endeavours, that that good Work might prosper and flourish, not only by the good management of the Estate committed to You, but by Your own Charitable and Honourable Additions thereto; whereof this second Edition of the HOLY BIBLE in their own Language, much corrected and amended, we hope will be an everlasting witness; for wheresoever this Gospel

shall be Preached, this also that you have done, shall be spoken of for a Memorial of you; and as it hath, so it shall be our studious desire and endeavour, that the success amongst the Indians here, in reducing them into a civil and holy life, may in some measure answer the great and necessary Expences thereabouts: And our humble Prayer to Almighty God, that You may have the glorious Reward of your Service, both in this and in a better World.

We are Your Honours most Humble and Faithful Servants,

BOSTON Octob. 23.
1685.

WILLIAM STOUGHTON.
JOSEPH DUDLEY.
PETER BULKLEY.
THOMAS HINCKLEY.

Dr. HOLMES communicated the following paper, commenting upon and illustrating a manuscript written by an eminent physician in England, and found in the collection of Winthrop Papers in the possession of the President of this Society:—

The President of the Historical Society, the Hon. Robert C. Winthrop, sent me the following paper a few weeks since, which he proposed to me "as the theme of a little contribution to the Society."—"It is," he says in his note, "the original of a collection of recipes, in 1643, by some London physician, prepared for the benefit of Governor Winthrop here in New England. I have recently discovered it among some old papers."

For my worthy friend Mr Winthrop.

[1] *For Madnesse*: Take y^e herbe Hypericon (: in English S^t John's Wort) and boile it in Water or drinke, untill it be strong of it, and redd in colour: or else, putt a bundle of it in new drinke to Worke, and give it y^e patient to drinke, permitting him to drinke nothing else. First purge him well with 2 or 3 seeds (: or more, according to y^e strength of the partie:) of Spurge. Let them not eat much, but keepe dyet, and you shall see Wondrous effects in fewe dayes. I haue knowne it to cure perfectly to admiration in five dayes.

[2] *For y^e Falling Sicknesse* Purge first with y^e Extract of Hellebore (: black hellebore I meane :) and in stead of S^t Johns Wort, use pentaphyllon, (or meadow Cinquefoile :) use it as aboue is said of S^t Johns Wort, & God Willing he shall be perfectly cured in short or longer tyme, according as the disease hath taken roote.

[3] *For y^e Mother.* Give y^e patient as much as will goe upon 6 pens, or a shilling, each morning, of y^e powder of y^e great Bryonie roote.

[4] *For Implicat or mixt diseases, as Lethargie or Vertigo, &c.* Mixe either two or more of these above said in y^e patiens drinke.

[5] *For diseases of y^e Bladder.* Giue y^e partie to drinke (: if it be an Inflammation & heate of Urine :) emulcions made with barlie, huskt almonds, and y^e 4 great cold seeds, if his drinke hath beene strong before; but if small drinke and Water, giue him old Maligo & Canarie, such to drinke Warme either by it selfe, or mixt with Water : And applie to the region of his bladder, a poltis made with barlie meale, and y^e rootes or leaves of Aaron : make Injections of y^e decoction of Hypericon, y^e bark of a young Oake (: the Outward black skinn being taken off :) and linnseede : and by Gods grace he shall finde present ease and cure with continuance.

[6] *For y^e stopping of y^e Urine, or y^e Stone.* Give y^e partie to drinke of y^e decoction of maiden hayre, fennell rootes, and parsly rootes. Lett him drinke great quantitie. But before let him drinke 2 or 3 Ounces of y^e Oyle of Allmonds newly extracted, or more : Or let him swallow a quarter of a pound of new butter made into round bullets, and cast into faire Water to harden them.

[7] *For y^e Blooddie Flix :* Purge first with Rhubarbe torrifed ; and giue the partie to drinke twice a day a pinte of this caudle following :

Take a dragme of y^e best Bole-Armoniak, a dragme of Santalum rubrum, a dragme of Sangvis draconis ; and a dragme of y^e best terra Sigillata of a yellow colour seal'd with a Castle : Make these into fine powder, and with a quart of red stiptick Wine, the yolks of halfe a dozen eggs, & a quantitie of Sugar, make a Caudle, boyling the powder in a pipkin with the Wine ; then adding y^e yolks of y^e eggs beaten, and lastly y^e Sugar. If his gutts haue bene fretted, give him y^e Injection for y^e bladder before mentioned, in a glistler ; and if you please you may adde to it the powders.

[8] *For the yellow Jaundise or Jaunders.* Boyle a quart of sweet milke, dissolve therein as much bay-salt, or fine Sal-peter, as shall make it brackish in taste : and putting Saffron in a fine linnen clout,

rub it into y^e Milke, untill y^e Milke be very yellow; and giue it y^e patient to drinke.

[9] *For paines in y^e Brest or Limmes*: Weare a Wilde Catts skin on y^e place grieved.

[10] *For a broken bone, or a Joynt dislocated, to knit them*: Take y^e barke of Elme, or Witch-hazzle; cutt away the Outward part, & cutt y^e Inward redd barke small, and boyle it in Water, till it be thick that it Will rope: pound it very well, and lay of it hott, barke and all upon y^e Bone or Joynt, and tye it on: or with y^e Musilage of it, and bole Armeniack make a playster and lay it on.

[11] *My Black powder against y^e plague, small pox: purples, all sorts of feavers; Poyson; either by Way of prevention, or after Infection.* In the Moneth of March take Toades, as many as you will, alive; putt them into an Earthen pott, so y^t it be halfe full; Cover it with a broad tyle or Iron plate; then overwhelme the pott, so y^t y^e bottome may be uppermost: putt charcoales round about it and over it, and in the open ayre, not in an house, sett it on fire and lett it burne out and extinguish of it selfe: When it is cold, take out the toades; and in an Iron-morter pound them very well, and searce them: then in a Crucible calcine them so againe: pound & searce them againe. The first time, they will be a browne powder, the next time black. Of this you may give a dragme in a Vehiculum (or drinke) Inwardly in any Infection taken; and let them sweat upon it in their bedds; but lett them not cover their heads; especially in the Small pox. For prevention, halfe a dragme will suffice: moderate the dose according to y^e strength of the partie; for I have sett downe y^e greatest that is needfull. There is no danger in it. Let them neither eate nor drinke during their sweat, except now and then a spoonefull of Warme posset-drinke to wash their mouthes. keepe Warme and close, (for a child of 5 yeares, 10 graynes is enough in infection, for prevention 4 or 5 graynes.) till they be perfectly well; and eate but litle; and that according to rules of physicke.

The same powder is used playster wise with Vineger for a gangrene, or bite of anie Venemous beast. taking it likewise Inwardly: it is used likewise for all Cankers, Fistulas & old Ulcers & kings Evill, strewing it upon the sore, and keeping them cleane

[12] *An other for old Soares.* Take S^t Johns Wort, pound it small, and mingle it with as much quicklime: powre on it raine Water, that may cover it, six fingers deepe in a broad earthen Vessel: putt it to y^e sunne, and stirre it well once every day for a

Moneth: then filter and reserve the Water for your use. Wash y^e Soares with it; it cureth Wonderfully.

[13] *For Burning with Gunn powder or otherwise.* Take y^e Inner green Rine of Elder, in latine Sambucus, Sempervive, and Mosse that groweth on an old thackt howse top, of each alike; boyle them in stale [*lotium*], and sallet oyle, so much as may cover them 4 fingers: Let all the [*lotium*] boyle cleane away, & straine it very well; putt new herbes and [*lotium*] as before, boyle that likewise away, and straine it as before. Then to that oyle adde barrowes grease untill it come to be an Oyntment, with which anoynt a paper, and lay it to y^e burning anoynting the place also with a feather:

[14] *For Soare Brests* Take yolkes of eggs and honie alike, beat them till they be very thinn: then with wheat flower beat them, till it be as thick as hony: spread it upon flax, and lay it upon the Breast, defending the nibble with a plate of lead as bigg as an halfe crowne, and an hole in it so bigg as that y^e nibble may come out. renewe it every 12 houres: and this will breake and coole the Brest. Where it breakes, tent it with a salve made of rosin, wax & terpenentine alike quantitie

[15] *For Breaking of any Biles or great Swellings.* If that poltis next above for the sore Brest doe not breake it, pound fox-glove, and lay it to it, and that will; then tent it, as for the sore Brest.

[16] *For a greene Wound.* Take salve of Clownes Wort, or Clownes all-heall prescribed in Gerrits Herball; or the Oyle of Hypericon and Ballsam.

[17] *For the King's evill.* Take 2 Toades & let them fast 2 or 3 dayes that they may spewe out their Earth, then boyle them in a pint of Oyle in a newe pipkin covered so long, till they be brought to a black Coale broken in peeces. presse out the Oyle, from the said Toades, reserve a 4th part, to the other three parts add halfe a pound of yellow wax, shavd small. let the wax melt in the Oyle in w^{ch} dippe linnen cloathes, that they may be well covered cerecloathes. with the 4th part of the Oyle left, annoynt all the places infected, & then strewe of my black powder of Toades (mentioned before for an Antidot agaynst the Plague) upon the sores or swellings, & then put on of y^e cerecloath.

dresse the running sores once everie 24 howres, but it will serve to dresse the swellings once in 4 dayes. Everie 4th day at furthest give of y^e said black powder to the partie & let them swet upon it. you may proportion the dos from 5 graynes to

a dragme according to the strength & constitution of y^e partie. if the partie be strong, it is the better that they swet everie day or everie second day.

By this Course ther is no doubt of the cure by Gods assistance.

Cautions in Phisick. 1 That you doe not let Blood, but in a pleurisie or Contusion, and that necessitated.

2 y^t in y^e beginning of all Feavers, you fast 2 or 3 dayes from meate and drinke, except y^e last day, and that so litle, as onely to sustaine Nature; and afterward you come to your dyet by degrees.

3 y^t you purge to follow Nature, and not to contrarie her: as if the partie Vomit, you purge by vomit; if the partie be loose, you purge downwards: if the partie bleed at y^e nose, you draw blood.

4 y^t in all purges you administer in long diseases, or to weake persons, you mixe Cordials, as Confectio Alchermes, etc. And y^t you purge with simples and not compounds, except the disease be mixt.

The best purgers: Rhubarbe, or rather y^e tincture of it for Choller.

Jallop for Watric humors.

Agarick for flegme

Extract of Scammonie, or black Hellebor, for melancholie.

Pine de Inde halfe a Kernell for mixt humors.

Crocus Metallorum well prepared for mixt humors,

Spurge seede for y^e head.

The Best Sudorificks being simples: Snake roote:

Contra yerva.

The best gumms for drawing Tackamahacka;

Caranna, Kereman; Burgundie pitch:

These may be used simple or mixt for old aches & paines.

Nota bene. No man can with a good Conscience take a fee or a reward before y^e partie receive benefit apparent: and then he is not to demand any thing, but what God shall putt into the heart of the partie to give him. And he is not to refuse any thing, that shall be so given him, for it commes from God.

A man is not to neglect that partie, to whom he hath once administered, but to visit him at least once a day, and to medle with no more, then he can well attend. In so doeing he shall discharge a good Conscience before God & Man.

These receipts are all experimented

LONDON May 6th 1643.

Governor Winthrop had been thirteen years in this country, and was fifty-six years of age, when this paper was sent out to him. It is remarkable that this is the very year in which Cotton Mather tells us his health began to fail. "While he was yet seven years off of that which we call *the grand Climacterical*, he felt the approaches of his *Dissolution*; and finding he could say, —

' Non Habitus, non ipse Color, non Gressus Euntis,
Non Species Eadem, quæ fuit ante, manet,' —

He then wrote this account of himself, *Age now comes upon me, and Infirmities therewithal, which makes me apprehend, that the time of my departure out of this World is not far off.* But at last, when *that Year* came, he took a *Cold*, which turned into a *Feaver*, whereof he lay *Sick* about a Month;" "and fell asleep on March 26, 1649." The biographer — whose leading merit is not, I believe, considered strict accuracy — could not resist the pleasing effect of making him die in the year of his grand climacteric; whereas he would not have begun his sixty-third year for nearly three months.

It seems not unlikely that this collection of recipes was sent to Governor Winthrop in consequence of a direct application to his friend Dr. Stafford for a list of remedies useful in common diseases. A paper so carefully drawn up would hardly be volunteered by a London physician to a person who had been long in a distant land, and of whose wants he would know little, unless he had been asked for it.

It was said of Governor Winthrop in his last illness, by "the venerable Cotton" (not Mather), that, among his other merits, he has been "*Help for our Bodies by Physick.*" It may be conjectured that the Governor wrote to Dr. Stafford, that he was in the habit of prescribing among his neighbors: otherwise the London physician would hardly have laid down those professional rules which are found at the end of the paper, under the head "*Nota bene.*"*

* I have assumed that this paper was written for Governor Winthrop, the father, and not for his son, the Governor of Connecticut; there being no positive evidence on this point.

Who was this physician? The singular autograph, of which a fac-simile is given above, is read, by those who are more skilled than myself in deciphering old manuscript, *Ed: Stafford*. All that relates to the writer, so far as my present means of information extend, must be gathered from this document.

The manuscript consists of three sheets of coarse paper, about six by seven inches in size. A little more than eight pages and a half are written over; and it is inscribed on the back, "For my worthy friend M^r Wintrop." A different and probably later hand has also written on the back, "Receipts to cure various Disorders." The seventh page is not in the same handwriting as the rest. The margins are ruled as if with a *lead pencil*. Lead pencils are said not to have been in use so far back as the reign of Queen Elizabeth; that is, forty years before this date.* The handwriting, with the exception of the seventh page, is very neat, small, but perfectly legible. The punctuation is very carefully attended to; the comma, semicolon, and colon being employed with discrimination. The spelling, as was to be expected, is not very well fixed; the same word being differently spelled in different places. Yet the writer meant to be exact; and, in one instance, takes the trouble to strike out "breast," and re-write it "Brest." Some very curious archaisms or vulgarisms occur, — as "Flix" instead of "Flux," and "Jaunders" for "Jaundise;" the reader being allowed to choose between these two last. The technical names are used as by a person familiar with them. The brief ethical rules at the end of the paper are in the best spirit, and expressed with dignity. It is evident that "Ed: Stafford" was a man of culture, and well trained in the knowledge of his time, such as it was.

What was the condition of medical knowledge at that time? We can get some light upon this by recalling the

* New Am. Cyc., art. "Graphite."

names of a few authors who were publishing at about this date. Ten years before this paper was written, Thomas Johnson had given to the English world his new edition of that very curious and interesting work, "Gerard's Herball." This is the only authority which is cited by Dr. Stafford; who spells the name "Gerrit," but seems to have been familiar with the book. It is a great collection of pictures and descriptions of medicinal plants, of remarkable merit, notwithstanding the errors and wild fancies of the time which it contains. Americans, however, can hardly forgive the author for saying that Indian corn is "more convenient for swine than for men." Probably this treasure-house of simples was a chief reliance of Dr. Stafford for information concerning those vegetable remedies to which he mainly trusted.

In the same year (1643) in which this manuscript was written, Schenck published his vast work, "Observationes Rariores," in which all the wisdom and folly of the preceding centuries was represented; a pudding-stone in which the matrix of lie is as hard as the pebble of truth. The observations and speculations of Van Helmont made their appearance in various treatises, from the year 1621, until they were printed collectively, as the "Ortus Medicinæ," in 1648. Sir Kenelm Digby's "Discourse concerning the Cure of Wounds by the Sympathetic Powder," — the Homœopathic folly of its time, — was given to the credulous world in 1644. Two years later, Riverius, professor of medicine at Montpellier, dedicated his book of signal cures to Vautier, late physician of Maria de' Medici; in which work the astrological sign for Jupiter may be seen alternating with the **R** for *recipe*, in which it has since been decently merged. And, in this same year (1646), Sir Thomas Browne sent forth his work on "Vulgar Errors;" in spite of which, ten years later (1656), Schröder reproduced the fantastic doctrine of signatures, with infinite other fancies, in his "Pharmacopœia." In 1661, Robert Lovell, Oxoniensis, φιλοθεολογιατρονομος, excreted

his "Panzoölogicomineralogia," in which all the nonsense that had ever been uttered about animals and minerals was brought into portable shape by this polysyllabic scavenger. In the mean time, Nich. Culpeper, the quack, who thought very justly that he was as good as any of them,— "Nich. Culpeper, gent., student in physick and astrology," as he calls himself in his title-page,— was composing variations to the London Pharmacopœia in terms like these:—

"*Colledg.* Take of Hog's grease washed in juice of sage a pound, quicksilver strained through leather killed with spittle," etc. etc. etc.

"*Culpeper.* A learned art to spoil people, hundreds are bound to curse such ointments, 'tis not enough for a man to be plagued with the —, but he must be worse plagued with preposterous medicines."

The charlatan saw the absurdities of the "*Colledg.*" and made use of them for his own glory and profit. Which was the greater quack of the two parties, an impartial posterity might find it difficult to decide.

But the dawn of a new day in English medical practice was just showing itself. In 1666, Sydenham published his first treatise. He was a man of observation and good sense, rather than of book-learning; and, of course, threw all the learned fools of his time into a spasm of hysteric horror and apprehension by his use of these two unpopular qualities. Dr. Stafford—who was young enough to have a very keen eyesight, as may be seen in the minute dots over his *i*'s, *j*'s, and *ȳ*'s— may have lived long enough to learn from Sydenham how to treat small-pox by better means than toad-powder and sweating; but the worthy Governor was born too early, and died under the ancient dispensation.

The muck-heap of the old Pharmacopœia, fit only to be scattered like compost as it fermented in its own immundities, hardly sweetened itself in the whole course of the following century. The reform which Sydenham began went on slowly. It was late in the seventeenth century, that the

great philosopher, Robert Boyle, published his "Medicinal Experiments;" in which figure as remedies,—“the sole of an old shoos, worn by some man that walks much;” “the Bone of the Thigh of a hang’d man;” the excrements of horses, sheep, dogs, and similar abominations. The most inconceivable far-ragos kept their place in legitimate practice much later than this. Huxham, who died in 1768, left prescriptions containing more than four hundred ingredients; and when Heberden, who was living so late as 1801, proposed the dismissal of the absurd old mess called “Theriaca Andromachi” from the British Pharmacopœia, his proposition was carried by a vote of only fourteen, against thirteen who were in favor of retaining it. The more loathsome articles gradually dropped out of use: but James’s “New Dispensatory” (1764) retains woodlice, sow-bugs, and earth-worms; and Cullen (1789) had to attack Vogel for allowing burnt toads and swallow-chicks to remain upon his list of remedies.

Dr. Stafford’s practical directions to so considerable a person as Governor Winthrop, in a strange land where he would be exposed to unknown causes of disease, might be taken as a fair sample of the better sort of practice of the time. There is no parade of polypharmacy; no display of learned names for aches and ailments. It was written for the special use of a friend, and evidently with care and forethought.

What were the diseases and injuries the physician expected the Governor would have to deal with? Plague, small-pox, scurvy; all sorts of fevers, poisons; madness, epilepsy, hysteria, lethargy, vertigo; dysentery, jaundice; pains, rheumatic or other; affections of the urinary organs; pleurisies; watery humors, or dropsies; phlegm, or catarrhal affections,—such are the inward complaints for which he prescribes. Fractures, dislocations, wounds, bites of venomous creatures, boils, ulcers, gangrene, scrofula, burning with gunpowder, &c., are the external maladies.

I proceed to make some brief notes on the medicinal substances he recommends, referring each remedy to the paragraphs in which it is mentioned.

(1, 4, 5, 7, 12, 16) *HYPERICUM*, St. John's Wort. — Gerard commends it for wounds, burns, stone in the bladder; and says, it "stoppeth the laske" (diarrhœa). "I am accustomed to make a compound oyle hereof; the making of which ye shall receive at my hands, because that I know in the world there is not a better, no, not natural balsam (Balsam of Gilead) itself." So says Gerard. It is aromatic and astringent, and is still used as a domestic remedy.

(1, 4) *SPURGE*, *Cataputia minor*? — The name "spurge" has been applied to various plants (James's Dispensatory). Gerard figures no less than twenty-three varieties. Sir Thomas Browne speaks of the old wives' fancy about spurge; that its leaves, "being pulled up or downward respectively, perform their operations by purge or vomit." The same notion prevails among some of our country people respecting thoroughwort, — *Eupatorium perfoliatum*. Professor Tuckerman is unable to determine to which of several kinds of spurge, mentioned in Josselyn's "Voyages," the "spurge-time" spoken of in "New England's Rarities" is to be referred.

(2, 4) *BLACK HELLEBORE*, *Helleborus niger*. — Hellebore was proverbially famous in ancient times for the cure of madness. The variety used was probably the *Helleborus Orientalis*. Black hellebore is still retained in the United-States Pharmacopœia; and its extract, as Mr. Metcalf informs me, is often prescribed. Drastic cathartic.

(2, 4) *CINQUEFOIL*, *Pentaphyllum*; *Potentilla*. — Vulnerary; useful in many diseases, according to Gerard and Schröder. An astringent not now in use.

(3, 4) *BRYONY*, *Bryonia*. — A drastic cathartic, not now employed, unless the homœopathists can be said to make use of it.

(5) The FOUR GREAT COLD SEEDS are those of the cucumber (*cucumeris*), the gourd (*cucurbitæ*), the water-melon (*citrulli*), and the melon (*melonum*). — Schröder. Wood and Bache mention pumpkin in the place of water-melon.

(5) AARON is doubtless meant for *Aron*, *Arum*, *Cockow* or *Cuckow pint*, of Gerard; *Arum maculatum* (Wake Robin); *Cuckow pint* (Pereira). Acrid stimulant. "Beares, after they haue lien in their dens forty days without any manner of sustenance, but what they get with licking and sucking their owne feet, do as soone as they come forth, eate the herbe Cuckow pint, through the windie nature whereof the hungry gut is opened, and made fit againe to receiue sustenance." — Gerard, p. 835.

(5, 7) OAK BARK is still in common use as an astringent.

(6) MAIDENHAIR, *Adiantum*, is principally known as the basis of the *Sirop de capillaire*. Bitterish aromatic.

(6) FENNEL, *Fœniculum*, is a well-known aromatic and carminative, retained in our Pharmacopœia. Dr. James Jackson has favored me with the following note respecting this remedy:—

"The oil (of fennel) is a constituent part of the *fennel balsam* formerly used by Dr. Holyoke and everybody else in Salem. I think that Dr. Holyoke derived the receipt from Dr. Greene, or some other doctor, of Malden. It was a solution of potass, partially carbonated and prepared in a peculiar way, and seasoned with the oil of fennel. No doubt, the formula can be found in Salem. It was much used as a carminative, mostly for children. If the doctor omitted to prescribe it, the old women would ask if it might not be given,—in doses of five or ten drops, I believe; and the doctor would usually reply, 'Ay, yes, yes.'"

Dr. Jackson's reference to Salem reminds me of a curious fact, which came under my notice; illustrating the tenacity with which old names and practices are retained in that ancient and conservative settlement. I found, accidentally, an ointment to be in use there, called by the singular name

nutritum. The word was not in Dunglison's "Medical Dictionary;" it was not in Bruno's "Castelli," where, if in any old book, it might have been looked for. I supposed it to be a popular corruption of some scientific term, but could not determine what. I have, however, since met with the word in two places, — Boyle's curious work, before referred to (third edition, 1712, p. 61); and Dr. Slare's "Vindication of Sugar," "dedicated to the Ladies," 1714. "There is an ointment," he says, "called *unguentum nutritum*, that has two sorts of lead, and no other herb mixed with it [*sic*], of excellent use for sores" (p. 46). Mr. Webb, a much respected apothecary of Salem, still prepares a lead ointment similar to that mentioned by Boyle and by Dr. Slare, retaining the obsolete name *nutritum*; of which no person out of Salem, with whom I have spoken of the matter, has ever heard, and which has escaped even the omnivorous pages of Dunglison. It came down through "old Master" Holyoke.

(6) PARSLEY-ROOT, *Petroselinum*, keeps its place in the "secondary" list of the United-States Pharmacopœia. It is still used in the same class of cases for which it is prescribed by Dr. Stafford. Dr. Jackson tells me he has a patient who habitually employs parsley with good effect, — a hot infusion of the *leaves*, however; not the root.

(6) OIL OF ALMONDS, *Oleum amygdalæ* (U.S. Pharm.), is often used as a demulcent.

(6) BUTTER has been given of late as a substitute for cod-liver oil. It was successfully administered, as is related by Riverius, in a case of bilious colic (Obs. Med. et Cur. Insignes, Cent. ii., Obs. lxi.).

(7) RHUBARB. — Mr. Metcalf tells me that it has been prescribed *roasted*, within a few years, by a Boston physician. Dr. Bigelow says (Sequel to the Pharmacopœia, p. 316) that "the popular practice of toasting rhubarb only diminishes its activity, without adding to it any valuable property." The intention was to render its action milder.

(7, 10) ARMENIAN BOLE, *TERRA SIGILLATA*. — These argillaceous earths are made great account of, as internal astringent remedies, in the old books, where all their distinctions are described at length. A short account of them may be found in the Appendix to Wood and Bache's "Dispensatory." Armenian bole is used in making tooth-powder.

(7) SANTALUM RUBRUM, *Red Sanders*; *Santalum* (U.S. Pharm.), is used only for its coloring properties.

(7) SANGUIS DRACONIS, *Dragon's Blood*, is sometimes used to color plasters, but is no longer given internally.

(8) SALT, *Sodii chloridum* (U.S. Pharm.), is rather a food than a medicine; but is classed as a stimulant tonic, and, in large doses, as a purgative. *Bay* salt differs from common salt chiefly in the size and degree of compactness of the grains.

(8) SALTPETRE, *Potassæ nitras* (U.S. Pharm.), is refrigerant, diaphoretic, diuretic, aperient.

(8) SAFFRON, *Crocus* (U. S. Pharm.), is principally used to give color and flavor to tinctures. Old women hold it in great esteem as a remedy. "Safforn tea" (the word pronounced as old Josselyn spells it) is their never-failing prescription to bring out the eruption in measles and scarlet fever. The reason of its being prescribed in "Yellow Jaundise or Jaunders" must be looked for in the doctrine of signatures. Its yellow color was supposed to be the Creator's mark of its fitness in diseases which involved the yellow bile.

(9) WILD-CAT'S SKIN. — Robert Lovell, of the "Panzoölogi-comineralogia," says of the cat, "The skin is woorn to warm the stomach, and help contractions of the joynts." For his authority, he cites the mythical personage, called, in his list of authors cited, "Obscurus." I suspect that Dr. Stafford may have thought that wild-cats would be more easily obtained in the wilderness than the domestic animal, and therefore have mentioned this variety of *Catus*.

"A black wolf's skin is worth a beaver-skin among the Indians, being highly esteemed for helping old aches in old people, worn as a coat;" (Josselyn; *New England's Rarities Discovered*, p. 16.) "One Edw. Andrews, being foxt [drunk], and falling backward cross a thought [thwart], in a shallop, or fisher-boat; and, taking cold upon it, grew crooked, lame, and full of pain,—was cured, lying one winter upon bears' skins newly flead off, with some upon him, so that he sweat every night" (*Ibid.*, p. 14). The skin of a recently killed lamb has been in use, of late years, for rheumatism (Mr. Metcalf). Sir Walter Scott, it may be remembered, was subjected, when a child, to a prescription of this kind.* The "pork-jacket" (an application of fresh pork to the chest) was used, with seeming good effect, in the case of one of my neighbors, within a few months.

(10) ELM, *Ulmus*.—"The leaves of Elme glew and heale up greene wounds; so doth the barke, wrapped and swaddled about the wound like a band" (Gerard, p. 1482). U. S. Pharm.; and in common use internally as a demulcent, externally, in cataplasms.

(10) WITCH-HAZEL, *Ulmus folio latissimo scabro* (Gerard), *Ulmus montana* (Wright, cited in Worcester's Dictionary).—Like the above.

(11, 17) TOADS.—These inelegant animals have long enjoyed a reputation for various qualities, which they deserve more or less well. That they are "ugly," as Shakspeare says, none will dispute. That they are "venomous," may, perhaps, be questioned. That they wear "a precious jewel" in their heads must be confessed a fiction.

The belief in the poisonous quality of the toad is of long standing, and still exists among the ignorant. Boccaccio's story of "Pasquino and Simona" may not be remembered by all my readers. The first, who was the lover, seated with

* Autobiography in Lockhart's Life, vol. i. p. 45, Ticknor & Fields's edition.

his lady-love near a bush of sage, plucks a leaf, and rubs his teeth with it. Presently he swells up, and dies. Simona is accused of poisoning him. Wishing to show how events had occurred, she also takes a leaf of sage from the same bush, and rubs her teeth with it. She, too, drops down dead. Great amazement of all present. The sage is cut up by the roots. Under it is found "a monstrous overgrown toad, with whose breath it (the sage) was judged to be infected."

That the toad has some unpleasant personal quality, I became convinced by the following observation: A small and inexperienced puppy undertook to amuse himself with a perfectly civil toad by pushing him about with his nose, and handling him with his paws. What the toad did, I never knew; but all at once the little dog withdrew, with marks of the most intense disgust, and was immediately attacked with free salivation, continuing for some time, and of extraordinary amount, such as I have never seen any thing like in beast or man. It was remarked that he never meddled with a toad again so long as he lived.

Rana usta, burned *frog*, is mentioned by Aetius, in the fifth century, as good to stay bleeding. Burnt toad is commended by philopolysyllabic Lovell; and held its reputation, as we have seen, until within less than a hundred years. It seems to have been the favorite remedy of good Dr. Stafford. "My black powder" is prescribed both inwardly and outwardly in the gravest diseases. It made the patients sweat, as well it might: whether it turned their stomachs or not, is not mentioned.

The principle on which the toad and other hateful objects were applied to medicinal uses may have been partly the association of contrast, like that which placed the jewel in the reptile's ugly head,—the pleasing antithesis of detecting a hidden virtue under a forbidding aspect. Partly it may have been, that disease was personified as an evil nature, to be expelled from the body by odious things, such as the demon

of illness might be supposed to dread, and fly from. The morbid instinct of hostility to the natural processes of disease showed itself, in early times, in horrible prescriptions, like those which Pliny mentions, — the blood of gladiators taken from their fresh-gaping wounds; and, if possible, even more hideous spoils of humanity. In succeeding centuries, it fell off to objects simply disgusting, — like burnt toads, and the infinitely more loathsome matters which fill the old books. The next stage of civilization contented itself with poisons. The abuse of these substances was gradually yielding to the advance of the two half-sisters, Science and Common Sense, when the incredible fiction of homœopathy came in, and revived, at least in name and in theory, multitudes of the exploded barbarisms of the preceding epochs.

(12) QUICK-LIME. — Lime-water, *Liquor calcis* (U.S. Pharm.), is still prescribed as a wash in cases like that for which it is here recommended.

(13) ELDER, *Sambucus* (U.S. Pharm., secondary). — The flowers, the berries, and the bark have all been used medicinally. No remedy has been so popular, perhaps, with mankind as elder. It is mentioned by Hippocrates four hundred years before Christ. I have a flourishing advertisement of "Sambuci Wine" before me, taken from the "Boston Traveler" of Feb. 1, 1862. The boiling "oil of elder" was the famous cure for gunshot wounds in Ambrose Paré's time. The American variety differs from the European; and both, Dr. Bigelow thinks, are of little use.

(13) SEMPERVIVE, *Everlasting*. — "Probably cowleek," says Dr. Bigelow; "of doubtful value." — "Everlasting" is still used in domestic practice; but Mr. Metcalf has never seen it prescribed by a regular physician. Employed as a cooling application to burns, stings, &c. (Wood and Bache).

(13) MOSS, *Muscus*. — Gerard and Johnson figure fourteen kinds, including *muscus ex cranio humano*; but I cannot determine which is intended by Dr. Stafford.

LOTIUM. — Dr. Stafford employs the vernacular monosyllable. Schröder (1656) devotes four columns to its medicinal uses and preparations. It does not appear in James's "Dispensatory" (1764); but I am informed that it is still employed as a popular remedy among the ignorant.

(14) RESIN, WAX, TURPENTINE. — These substances are combined in the Compound Resin Cerate of the United-States Pharmacopœia.

(15) FOXGLOVE, *Digitalis* (U.S. Pharm.). — Used internally; or, if externally, to act as a diuretic. Bouillaud calls it the "opium of the heart," from its action on that organ. It is a powerful but dangerous sedative.

(16) CLOWN'S WORT, CLOWN'S ALL-HEAL, *Panax coloni* (Gerard), *Stachys palustris*. — Gerard gave it its English name in consequence of a wonderful "cure" he wrought on a poor man, who, "in mowing of Peason, did cut his leg with a sithe." He made a "pultesse" of the herb, stamped with hog's grease, which "did, as it were, glew or soder the lips of the wound together, and heale it according to the first intention, as we terme it; that is, without drawing or bringing the wound to suppuration or matter: which was fully performed in seven dayes, that would haue required forty dayes with balsam it selfe." — "Since which time, my selfe haue cured many grievous wounds, and some mortall, with the same herbe."

(16) BALSAM, *Balsam of Gilead*, *Amyridis Gileadensis resina* (Edin. Pharm.). — Mentioned by Wood and Bache because retained by the Edinburgh College. Has the virtues of other terebinthines. Was once in high repute, but is now disused.

(17) WAX, OIL. — In common use in cerates, &c.

Remedies mentioned in the General Directions.

CONFECTIO ALCHERMES. — A confection made with kermes, or *coccus ilicis*, an insect once thought to have special medical virtues; now used only as a dye.

JALAP; *Jalapa* (U. S. Pharm.). — Cathartic; in common use.

AGARIC, *Boletus igniarius* (Ed.). — "Ranked among the Phlegmagogue Purgatives" (James). Mr. Metcalf has seen it prescribed by a German physician; but it is not in use as an internal remedy among us. "That useful purging excrense (*sic*) agarick" (Josselyn, Tuckerman's edition). As "spunk," it has been employed for moxæ. The Indians use it in this way, according to Josselyn (p. 52). I am not aware that they have ever disputed the claim of the Japanese to the credit of contriving this remedial agent.

EXTRACT OF SCAMMONY, *Scammonium* (U. S. Pharm.). — Scammony is an energetic cathartic, still used, but mostly in combination with other drugs.

PINE DE INDE. — What particular pine is referred to, I have not discovered.

CROCUS METALLORUM, *Sulphuretted Oxide of Antimony*. — Rarely employed (Dunglison). Used by the Edinburgh College in preparing tartar-emetic (Wood and Bache). Mr. Metcalf has known it to be used for making antimonial wine.

SNAKE-ROOT, *Aristolochia serpentaria*; *Serpentaria* (U. S. Pharm.). — A stimulant tonic, acting also as a diaphoretic and diuretic, in frequent use. Dr. Jackson says, "Snake-root, *Serpentaria*, has been much used in my day as a grateful stimulant, especially to 'bring out the measles;' and, in the late stages of fever, I have used it."

CONTRAYERVA (U. S. Pharm., secondary), *Dorstenia contrayerva* (*Ibid.*). — Stimulant, tonic, and diaphoretic; very seldom used in this country (Wood and Bache). Mr. Metcalf has known it prescribed within a few years.

TACAMAHACA. — A resinous substance, supposed to be derived from the *Fagara octandra* of Linnæus. Formerly highly esteemed as an internal remedy; now little used, and only for ointments and plasters (Wood and Bache). Mr.

Tuckerman has, in one of his notes to Josselyn, "*Larix Americana*, Michx. (Larch; *taccamahac*, Cutler; *tamarack*; *hackmatack*"). The *Calophyllum inophyllum* is said to yield *tacamaque* (Rees's Cyc.).

CARANNA. — This resin resembles *tacamahaca*; but, according to Schröder, is a little more fragrant, glistening, liquid, and heavy. It was so much esteemed in medicine, that there was a proverb, "Whatever the *tacamahaca* has not cured, the *caranna* will" (Rees's Cyc., art. "Caranna"). The two substances are treated as identical in Dunglison's "Medical Dictionary."

KEREMAN. — I can make nothing of this, unless it be mastic, or some such substance, which, coming from *Kerman* in Persia, took the name of that place.

BURGUNDY PITCH, *Pix abietis* (U.S. Pharm.). — In common use for plasters.

With the exception of the cathartics, most of the internal remedies are simply insignificant, — such as old women prescribe without fear and without reproach. Not a single opiate; but one metallic preparation, and that merely enumerated in the list at the end; not one of our so-called specifics. Montaigne was of opinion, that the chief work of physicians was to "purge the belly;" and, truly, that operation and bleeding formed a large part of ancient practice. We must not forget the sudorifics, however, which were used so frequently before the time of Sydenham, under the idea of expelling the *materies morbi*. The toad-powder, which was expected to procure sweating, was principally animal charcoal, with some saline matters contained in the bones and other parts.

Whatever we may think of Dr. Stafford's practice, it is not certain that his patients would all have done better under the treatment of the present day. Some differences there would certainly be in our favor. We should trust more to moral

treatment, in "madness," than to St. John's wort; to diet, rather than to cinquefoil, in epilepsy. We should hope a good deal from opiates in dysentery, and confidently expect to arrest some fevers—those of periodical type—by quinine. But slight cases of disease would commonly get well under his treatment, and severe ones often die under ours. Diseases are like bullet-wounds: much may depend on their treatment, but much more must be referred to the extent of the visible or invisible injury and the part affected. It is a curious commentary on the nature of medical evidence, that the most popular medicine in the history of mankind should be *elder*,—a plant with hardly any assignable virtues. As for the external remedies, no one of them can claim any special efficacy; and some of them probably did more to irritate than to heal. The magic of "clown's all-heal" and "balsam" has been dispelled by the every-day observation of the kindly union of wounds simply brought together, or dressed with nothing but water.

The general medical directions at the end of the paper are very judicious, and might be followed with profit by the students of our own time. Some of them are of the true Hippocratic stamp, and confirm the idea that Dr. Stafford was a man of good sense and education. He has a just claim to be treated with respect; and, though some of his prescriptions may cause us to smile or shudder, it would be well if a physician of our time, whose prescriptions should be exhumed in the year 2080, were able to stand the examination of posterity as creditably as the very respectable Dr. Stafford, friend and adviser of John Winthrop, the honorable Governor of the Massachusetts Colony.

Mr. DEANE communicated the following remarks as the result of an examination of a copy of the so-called Narragansett Patent, which the President had recently committed to him for investigation:—

Mr. PRESIDENT, — You placed in my hands a few weeks since an ancient manuscript document, with a request that I would examine it, and report to you concerning it. I have made a few notes here ; and, with your leave, will read them to the meeting.

This paper proves to be — what I supposed it was at first inspection — a copy of what is sometimes called the “Narragansett Patent,” granted to the magistrates and freemen of Massachusetts, by authority of Parliament, and dated 10th December, 1643. The original is at the State House ; it having been noticed there by Mr. Felt a few years since, and subsequently made the subject of remark before this Society by him, and also by Mr. Savage. Colonel Aspinwall, also, read an interesting communication here respecting it, which will be found in our printed Proceedings of May, 1860.

I remarked, that the patent was granted by authority of Parliament. On the 2d of November preceding the date of this instrument, the Parliament passed an ordinance, “whereby Robert, Earl of Warwick, is made Governor-in-Chief and Lord High Admiral of all those islands and plantations, . . . belonging to any of his majesty’s . . . subjects, within the bounds and upon the coasts of America,” &c. The ordinance also appointed commissioners, “to be assisting unto him,” of seventeen persons, members of the House of Lords and House of Commons (Hazard, i. 533). By authority of this Board was this Narragansett Patent issued, though it bears the signatures of but *nine* of them. The reasons given in this instrument for this grant of territory are the excessive charges to which the Massachusetts planters had been subjected in founding their colony ; its rapid growth, requiring an expansion of its territory ; and the desire to Christianize the natives. The terms of it were, in effect, to annex so much additional territory to Massachusetts. What is curious, this grant of land embraced that territory, in almost the same

language, which, three months later (*i.e.*, 14th March, 1643 $\frac{3}{4}$), was granted to Roger Williams, or, by his solicitation, to the inhabitants of Providence, Portsmouth, and Newport.*

The earliest reference we find to this instrument is in a letter from the Massachusetts authorities to Roger Williams, dated 27th August, 1645,—more than twenty months after the document was issued, if it was issued at the time of its date; notifying the latter, that they had "received lately out of England a charter from the authority of the High Court of Parliament, bearing date 10th December, 1643, whereby the Narragansett Bay, and a certain tract of land wherein Providence and the Island of Quidny are included;" and warning him and others of their countrymen to "forbear to exercise any jurisdiction therein; otherwise to appear at our next General Court, to be holden the first fourth day of the eighth month, to shew by what right you claim any such jurisdiction,"† &c. This order appears to have been disregarded, and no further proceeding was had. The subsequent references to this patent are few, and it seems to have been almost lost sight of in our history till recently. Why Massachusetts based no practical claim upon it, it is not easy now to see, though various conjectures have been hazarded. It may be noted, that while there is a reservation in it of all lands previously granted, "and in present possession, held and enjoyed by any of his majesty's Protestant subjects," the Rhode-Island Patent, of three months later date, of the same territory, contains no such reservation; neither is there

* See Arnold's Hist. of R.I., I. 118, 119.

† This letter is recorded under date 7th October, 1645. Immediately preceding is the following order: "It is ordered by this Court, that Richard Saltonstall, Esq., and Captain George Cooke, shall be joined with Mr. Pocoke, and other our commissioners in England, in negotiating for us before the Right Hon. the Earl of Warwick and the rest of the Commissioners for Plantations, &c., or before the High Court of Parliament if occasion require, concerning the two late grants or charters for government or jurisdiction in the lands adjoining to the Narragansett Bay." Referring, undoubtedly, to these two conflicting grants.—*Records of Massachusetts*, iii. 48, 49.

any reference in this latter grant to the Narragansett Patent. An unwillingness, on the part of Massachusetts, to acknowledge the authority of the Parliamentary Commissioners, may be assigned as one reason for avoiding any assertion of her claims under this patent, though it will not explain all the difficulties which surround it. The grant was probably procured by Welde, then residing in England, and possibly without the authority of Massachusetts.*

It has been intimated (Felt, in *Geneal. Reg.*, xi. 41, where this patent is printed), that the banishment by Massachusetts of Gorton and his followers from their lands at Shawomet, March 7, 1643 $\frac{1}{2}$, was by authority of this instrument; but no such claim was ever set forth by that government as a basis for these proceedings. The surrender of Pomham and Sacononoco (in June, 1643), whose lands embraced Shawomet and its neighborhood, and the act of the United Colonies of September of that year, authorizing Massachusetts to proceed against those unhappy schismatics, "according to what they shall find just," — New Plymouth claiming that this territory was covered by her patent, — were the only alleged grounds of the proceedings of Massachusetts in this case. Besides, it is doubtful, if, at the time of Gorton's banishment, this patent had been received here. It is quite certain, that during all this Gorton contro-

* "The forbearance of Massachusetts to found any practicable claim upon it is remarkable. I conceive the reason to have been the caution of her magistrates about involving themselves in an admission of the lawfulness of the authority intrusted to the Parliamentary Commissioners, which admission might presently be turned back upon herself." — "The sole object of Massachusetts, in giving the notice [to Williams], seems to have been to keep her rights safe in case of any necessity for using them," &c. — *Palfrey's History of New England*, ii. 122, 123, 217, n. In 1665, Rhode Island presented "some reasons unto the Right Hon. Edward, Earl of Clarendon, Lord High Chancellor of England," to show that that part of said colony called "King's Province" rightfully belonged to Rhode Island. In it they say, "For that the said country is wholly and clearly contained in the grant made in his late majesty's name, by the Lords and Commons in 1643, . . . which grant was since confirmed; and that which Mr. Wells [Welde?] underhand got of the same country was prohibited, being never passed at Council Table nor registered" (2 *Mass. Hist. Coll.*, vii. 104). — See citation from Williams's letter to Mason, further on.

versy, from 1643 to 1647,— during which these outcasts had carried their complaints to England,— the Massachusetts Government never pleaded this patent in justification of their acts; and, what is also worthy of note, the Committee of the Lords and Commons, in their letter to Massachusetts authorities, desiring justice to be done to Gorton and his associates, and disclaiming any wish to abridge the bounds of the Massachusetts Colony as defined by its royal charter, make no allusion whatever to this Narragansett Patent, which bears the signatures of some of these very commissioners. (See Winthrop, ii. 280, 282, 317–320.)

Some years later, we find this patent cited by Massachusetts men claiming lands in the Narragansett country, not so much for the purpose of affirming their titles, as to avoid being included within the jurisdiction of Rhode Island. In a letter from Captain Edward Hutchinson, a member of the celebrated Atherton Company, to John Winthrop the younger, in London, dated Boston, 18th November, 1662, he speaks of a copy of this Narragansett Patent, which he sends to him to show that it embraced the same territory claimed by Mr. Clarke in the Rhode-Island Patent. He says, "Your patent and Plymouth join, reaching both the Narragansett River; and, whereas Mr. Clarke pretends a patent, we have sent a copy of one to the Massachusetts, of the same land, dated before theirs, which answers theirs, and we conceive may give satisfaction" (Arnold's Hist. of R.I., i. 381). This copy, made by Secretary Rawson, is undoubtedly the one here referred to as sent to Winthrop, in London, in 1662; and, if I mistake not, it bears his endorsement upon it.

Enough has been said to show that this patent is shrouded in mystery. Some severe strictures have been made upon it; and I must not forget that our friend Mr. Savage—who has called my attention to the fact that the date of the instrument is Sunday—has gone so far as to pronounce it a

forgery.* Reference has been made to a communication of Colonel Aspinwall respecting it; and I will dwell for a moment on some of his statements.

It is suggested by him, that this patent was not legally executed, and consequently was a mere nullity: in proof of which, he alleges that the document has no seal, either public or private; nor any indication of enrolment or registration. That it bears but nine signatures; whereas the ordinance by which the Board was created required the assent of the greater number of the eighteen commissioners, of which it consisted, to each of its acts. He also cites a passage from a letter of Roger Williams to Major Mason (1670), saying, that, at the time of Gorton's complaint against Massachusetts, "the Lord High Admiral (President) said openly, in a full meeting of the commissioners, that he knew no other charter for these parts than what Mr. Williams had obtained; and he was sure that charter, which the Massachusetts Englishmen pretended, had never passed the table" (1 Mass. Hist. Coll., i. 279). Also that the "probable reason for Winthrop's silence respecting it in his journal was his consciousness of its worthless character."

As I always like to see historical questions settled, it would be gratifying, in many respects, to be able to concur in all these statements; but I am not quite able to do so.

First, As to there being no seals upon the document. That is true, so far as to there being none now attached to it; but portions of the tags remain to each signature, the seals being lost or removed with that portion of the tags to which they were connected. I have inspected the original

* If I could believe that our Puritan ancestors, or any persons in their interest, were capable of such a *fraud*, I should still hesitate before charging them with such an act of *folly*. A forged title to such a large tract of land, the alleged grantors being still living, would be at once exposed by the rivals and opponents of the Massachusetts planters. The signatures to the document, so far as I am familiar with them, have every appearance of being genuine. It is quite improbable that any attempt would be made to forge seals.

instrument; and the seals, or at least the tags, appear to me to have been cut off near the margin. As a proof that there were seals originally attached to it, this *copy* made by Secretary Rawson, now just come to light among the Winthrop Papers, has, written against each of the nine signatures, "and a seale:" for instance, "Ro: Warwicke, and a seale."

Second, As to there being no evidence of enrolment upon it, I am doubtful how far that argument is of weight. It may prove too much. I have examined a good many of our charters or patents, and have rarely, if ever, found any such endorsement upon them. Some of them have evidence of delivery, &c.; but rarely, on those that have come under my inspection, of enrolment.

Third, To the objection, that, while the ordinance of Parliament requires the signature of the greater number of the commissioners to each of its acts, there lacks one to this instrument of the requisite number, I would say, that a majority is necessary only for certain specific acts; while, for the transaction of the general business of the Board, it requires but the assent of the president and any four of his associates. (See the ordinance in Hazard, i. 533.)

Fourth, As to the statement, in Roger Williams's letter, of an occurrence twenty-five years before, how far it may be safe to rely upon it, is a little uncertain. I should have great confidence that Williams would not assert what he did not believe to be true; but it must be remembered, that he was not present on the occasion referred to (not being in England at that time), and he must have heard the story from Gorton or from some other person. Still, I would not deny that the silence of the commissioners respecting this patent, in their letters to Massachusetts, above referred to, requires an explanation.

Fifth, As to Winthrop's silence respecting this patent in his journal, we find, in vol. ii., pp. 279, 280, of that work, the following queries and suggestions of the magistrates at the meet-

ing of the General Court, Nov. 4, 1646: "It was propounded to consideration, in what relation we stood to the State of England; whether our government was founded upon our charter or not: if so, then what subjection we owed to that State." — "And for that motion of petitioning, &c., it was answered, — 1. That, if we receive a new charter, that will be (*ipso facto*) a surrender of the old [that is, the Royal Charter of Charles First]. 2. The Parliament can grant none now but by way of ordinance; and it may be questioned whether the king will give his royal assent, considering how he hath taken displeasure against us. 3. If we take a charter from the Parliament, we can expect no other than such as they have granted to us at Narragansett, and to others in other places, wherein they reserve a supreme power in all things." No doubt seems to be here expressed as to the genuineness and legality of their patent for Narragansett; that is, that it is as good a grant as Parliament, or its commissioners, can give: but the more radical question is as to the authority of Parliament in issuing such grants. This discussion took place more than a year after the order to Williams.

A communication was received from the "Historic Society of Lancashire and Cheshire," England, presenting twelve volumes of their Transactions; and requesting, in exchange, a contribution from the Collections and Proceedings of our Society.

Voted, That this subject be referred to the Standing Committee, with full powers.

The President offered for the inspection of the members several ancient certificates of marriage from the papers of his ancestor, Governor Winthrop. He also produced from the same valuable store of manuscripts a fragmentary paper relating to the estate of John Harvard, which, at his suggestion, was referred to Mr Sibley.

Rev. William A. Stearns, D.D., President of Amherst College, and Charles Sprague, Esq., of Boston, were elected Resident Members.

Mr. ROBBINS (C.) reported, that, by direction of the Standing Committee, he had restored to the library of the Old South Church the Hinckley Papers and several other manuscripts belonging to the Prince Library; and that he had expressed, in a letter addressed to the pastors and deacons of that church, the grateful acknowledgments of this Society for their courtesy and generosity in allowing those valuable papers to be retained and printed. In response to this communication, he had received the following letter:—

BOSTON, Feb. 12, 1862.

REV. CHANDLER ROBBINS, D.D.

DEAR SIR, — In behalf of the pastors and deacons of the Old South Church, to whom your communication of the 31st ultimo was presented on Friday last, I have been directed to acknowledge the receipt of a part of the manuscripts which the Historical Society of Massachusetts desired to retain for a time, and for a special purpose, after they had conveyed the books belonging to the Prince Collection to the Old South Society, in July, 1859; namely, three volumes of the "Hinckley Papers," and a volume entitled "*Torrey vs. Gardiner*."

I am also directed to thank the Standing Committee of the Historical Society, through you, for the valuable printed volume of the "Hinckley Papers," which, in behalf of the Society, they have kindly presented to the Old South Church and Society; and for the manner in which they have caused the three volumes of the "Hinckley Papers" to be thoroughly and neatly bound in one.

We also respectfully acknowledge the restoration to us of a number of manuscript sermons by one of our former esteemed pastors, the Rev. Dr. Eckley.

With our sincere acknowledgments of the courtesy and liberality of the Historical Society, I am, in behalf of the pastors and deacons of the Old South Church, very respectfully yours,

G. W. BLAGDEN, *Senior Pastor*.

Dr. ELLIS, in announcing the death of our esteemed associate (Dr. Luther V. Bell, of Charlestown) while in the discharge of his duties as a surgeon in the army of the United States, spoke as follows:—

Mr. PRESIDENT,—The painful intelligence was received here yesterday, by telegraph, of the decease of our much esteemed and distinguished associate, Dr. Luther V. Bell, at Budd's Ferry. We have, at present, only the knowledge of the sad fact, without particulars, which we wait for with anxious interest. As is well known to many of us, he had been for several years much enfeebled by disease, and under the regimen of an invalid. He must, however, have been snatched from us by some comparatively sudden blow, as, in letters recently received from him,—the last being dated at the close of the last month,—I had his emphatic assurance, that his measure of health and strength had surprised himself.

We are unprepared, under the sudden sense of this affliction, to give adequate expression to what is in our minds and hearts of respect and affection for our honored and eminent friend. He highly estimated the privileges and the associations of his membership of this Society; and we, too, regarded his co-operation with us as an enhancement of the dignity of our fellowship. In the most responsible office, which he held for more than twenty years, as the physician of the M'Lean Asylum, he took the highest professional rank, and won the fullest confidence and the loftiest personal esteem and affection of multitudes of friends in this community, and indeed over the whole country, from whose wide extent patients were committed to his care. He was a man remarkably endowed and fitted by nature for his exacting sphere of labor, and he had perfected himself by careful study and the most thorough professional culture. He had a noble mind, a dignified presence, a pure and a religiously trained heart. He

cultivated art, philosophy, science, and general literature. Enfeebled bodily vigor compelled him to resign his office at Somerville some six years ago; and, building himself a dwelling at the base of the monumental shaft on Breed's Hill, he became a citizen of Charlestown. He had filled several political offices; had been a member of the Executive Council, and President of the Massachusetts Medical Society. He loved to spend hours of leisure in these richly filled rooms. He was still privately consulted for professional purposes, and served on a Commission of the Commonwealth in the erection of the Asylum at Northampton. On the opening of the lamentable strife which has been for a year convulsing our country, the purest impulses of patriotism, and a sense of Christian obligation, moved him to offer his crippled but still valuable energies and abilities in our great cause. He left us last July as surgeon of the Eleventh Regiment of Massachusetts Volunteers. He was soon constituted one of the brigade surgeons of the volunteer army, and was filling that post in General Hooker's division, on the Lower Potomac, when the summons came to him in the last mortal conflict, from which there is no discharge. I cannot now say more; yet I could not but say at least what I have said, in tribute to one so respected and esteemed among us, and for whom, as a friend, I felt the highest attachment and regard.

Mr. FROTHINGHAM (R.), in referring to the death of Dr. Bell, spoke substantially as follows:—

He could not refrain from uttering a few words in respect to one, with whom, for many years, he had had much intercourse as a friend, a neighbor, and a citizen; and he was sure the Society would unanimously express their sense of the loss which it had sustained in the sudden death of a member so eminent and deeply respected as Dr. Bell.

Though he had met him, for many years, under various circumstances of public life, yet it was not until he retired

from the main field of his labor, — the McLean Asylum at Somerville, — and became a neighbor at Charlestown, and met him unreservedly in the social circle, that he saw and felt those sterling and sympathetic qualities which made him always welcome, and a favorite of the community in which he lived.

Dr. Bell had qualities that made him greatly beloved in private life, and fitted him to be its ornament. He was urbane in his deportment, conscientious in his opinions, gentle in his ways, and of rare conversational gifts: indeed, he related his varied and rich experience with the human mind, in its most startling and fearful moods, with so much simplicity and so exactly, with such entire absence of any thing like arrogance, that he charmed while he instructed. This (the human mind) was his great study, and he shrunk back from no phase of its manifestations.

Dr. Bell was emphatically public-spirited, and gave large attention to the questions of the day; and it always seemed that his knowledge of politics was large, his views comprehensive, and his spirit eminently patriotic. If he had the ambition to serve the country in political station, it was because he felt that he could serve it well, — act for country, and not for self. It was such a conviction that carried him, in this great crisis, to his last field of usefulness. He felt that his large experience in the line of his profession might make his service valuable to the army; and he devoted himself not only with zeal, but with conscientious fidelity, to his calling. His coolness, courage, and self-possession on the Bull-Run field were marked; and the wounded who fell to his lot, and felt his sympathizing presence, talk lovingly of the man who will linger enduringly in their memory. For such service he was promoted; and thus, while engaged in duties second only to the duty that man owes to his Creator, he honorably closed a useful life, falling asleep under the flag which he loved and was so beautifully serving.

He had been but a short time a member of this association. He felt an abiding interest in historical pursuits, sympathized with the success of the Society, and was ready, on its call, to share actively in its labors.

Dr. Bell aimed to be faithful to the whole round of duties. He was both the father and mother to an interesting group of children, who for years have been motherless; and to leave these for the duties of country was his hardest work. He will long be remembered by the institution which he so faithfully guided, by the town in which he passed his manhood, by the city in which he last lived, and by those with whom he loved to commune in the interchange of social amenities. Verily a good man has gone to his reward.

The following resolution was then unanimously passed; viz.:—

Resolved, That the Massachusetts Historical Society have learned with deep regret the death of their esteemed and respected associate, Hon. Luther V. Bell, while serving in the medical staff of the army of the United States; and that Rev. George E. Ellis, D.D., be requested to prepare the customary Memoir.

A Memoir of Rev. Charles Lowell, D.D., and of Rev. John Codman, D.D., prepared in compliance with a vote of the Society, was communicated from our associate, Rev. Dr. Jenks.

TRIBUTE TO THE MEMORY

OF

REV. JOHN CODMAN, D.D., & OF REV. CHARLES LOWELL, D.D.

BY WILLIAM JENKS, D.D.

WHILE our beloved country is in so imminent peril, and death by warfare is multiplying its victims, our literary Society is permitted to follow its accustomed course. One feature of that course is a respectful and affectionate reminiscence of the merits of its departed members; and although our sympathies are demanded by the present struggle for the defence and continued existence of our invaluable civil privileges, and we feel deeply for all who are called to hazard life in their behalf, it nevertheless becomes us not to neglect or be unmindful of the memory of worthies in other departments of human duty than those of politics or war.

Under the control of such a sentiment, permit me, my highly esteemed associates, in attempting the discharge of the obligations you have seen fit to lay on me, to blend together such recollections and notices in regard to the late Dr. CODMAN, and his near kinsman, the more recently deceased Dr. LOWELL, as have appeared to me just and proper. As respects the former, your appointment is indeed of several years' standing, and the delay to comply with it may demand an apology; but I cast myself on your indulgence, which I trust will not be withholden.

Of the Rev. Dr. CODMAN, who died in December, 1847, we are possessed of an ample and authentic Memoir, from the pen of his college-classmate and highly esteemed friend, the Rev. Dr. Allen, late President of Bowdoin College; with whom he maintained a frequent and unbroken correspondence. The Memoir was published in 1853, in a volume containing also the late Rev. Dr. Bates's "Reminiscences" of its distinguished subject, and a few of his sermons. Of this volume a free use will be made in the present brief tribute.

Dr. LOWELL took, indeed, his first degree at Harvard two years before his kinsman, and was earlier ordained as a pastor; but although this seniority might constitute a claim to stand first in our recognition, yet his life was prolonged to a later period, and hence it will here take the second place.

Neither of these gentlemen, although both were natives of Boston, was prepared for college at the Public Latin School. "The father of Dr. Codman," we are told,* "received his early education at Dummer Academy, in Byfield;" and he placed his eldest son in the Academy at Andover. How long he continued there, I know not; but the youth was removed, with his younger brother, to Hingham, and confided to the care of the Rev. Mr. (afterward Dr.) Ware, pastor of the church in that town.

About this time it was that my own acquaintance with the family commenced. Being then an undergraduate at Cambridge, Mr. Codman applied to me, and proposed that I should leave college for a time, and go to Hingham as an assistant of Mr. Ware in the education of his two sons. But this arrangement was not effected. It laid, nevertheless, a foundation for a growing interest and concern in the welfare of one whom I was afterwards to regard as a beloved and influential brother in the sacred ministry.

* Memoir, p. 13.

The two pupils of Rev. Mr. Ware were the only children of Mr. Codman's first marriage. Their mother was Margaret Russell, youngest daughter of the Hon. James Russell, Esq., of Charlestown; another of whose daughters (Rebecca) had become the wife of Hon. John Lowell, Esq., and mother of the Rev. Dr. Lowell. The subjects, therefore, of our present attention, were, by maternal parentage, cousins-german.

Dr. Allen, in his Memoir, deduces the genealogy of these gentlemen in both the male and female descent. Such deduction has now become, and that with manifest propriety, far from uncommon. The associations which are formed at an early period, including observable advantages or disadvantages of social life, have great effect in either the development or restriction of natural talent or disposition. No biographical sketch, therefore, can be regarded as complete, which does not include some account of them; for, ere we are aware, character is forming, and the seeds of future distinction are sown. We plant a tree; but its subsequent growth, or failure to flourish, will greatly depend on the soil that envelops its roots.

Dr. Codman's father was an eminent merchant of Boston, and acquired a large property with a fair reputation. His character, admirably drawn by one who knew him intimately (his brother-in-law, Judge Lowell), describes him as a "truly excellent and respectable citizen. Of manners gentle, of affections warm and glowing, of habits industrious and enterprising, with an understanding clear and masculine, with an eloquence impressive and energetic, with a heart expanded and generous, he was qualified to fill, and honorably to discharge, the various important public and private relations in which he stood to society. . . . In the meridian of life [at the age of forty-eight], in the full career of usefulness and reputation, just entering into the higher councils of the State" (its Senate), he "died, as he had lived, a warm, sincere, pious

believer in the Christian religion, its hopes and future rewards."*

Reserving to another page a notice of Dr. Codman's maternal descent, I remark, that he was born in Boston, Aug. 3, 1782. His boyhood and youth exhibited no peculiarly memorable features; except that, as characterized by one who knew and loved him,† "his spirits were buoyant," his constitution being sound and healthy, and his temperament cheerful and affectionate. Yet with this was blended a discretion, resulting in no small degree from his circumstances of life and education, that rendered him reliable, and tended subsequently to the increase of his influence. Besides, the habits of responsibility, early inculcated and exercised, grew insensibly, and rendered him judicious, firm, thoughtful, and kind.

His college-life was passed respectably. The class of which he was a member contained several who afterwards rose to distinction; but among them, as he was not the first in eminence, so he was not of the most deficient. He seems to have been marked by a conscientious regard to duty, and an unhesitating and cheerful compliance with the known requirements made of a student. His merit was acknowledged by his instructors, and he was graduated with reputation in 1802.

My own acquaintance with and interest in him were increased at this time by the circumstance, that, having become an occupant of the Simpson‡ estate in Cambridge, the use of part of this large mansion was hired of me by young Codman's father, for the accommodation of the numerous company who attended on the occasion; among whom I well recollect the Hon. David Humphreys, of Connecticut, then recently returned from his embassy in Europe, and who was received by his countrymen with high distinction.

* See the genealogical particulars at large in Dr. Allen's Memoir, pp. 11-15.

† Rev. Dr. Storrs, sen., in his funeral sermon.

‡ This house was originally erected for the Rev. East Apthorp, first Rector of Christ Church in Cambridge, and inhabited by him.

The attention of the young graduate was soon given to the study of law. This he pursued in the office of his kinsman, John Lowell, Esq., at that time engaged in very extensive practice. He continued this study for about a year; and it was unquestionably of no little service to him, in view of subsequent events and his own deep interest in them, that his mind underwent a degree of legal discipline. It could not but aid him in giving precision to his judgment, and discrimination in his investigations, inducing and assisting habits of no small importance in life.

But this course was very unexpectedly interrupted, and indeed broken off, by the lamented death of Mr. Codman's honored father, in 1803; and the earnest desire which he had expressed on his death-bed, that his son would study divinity, and become a minister of the gospel. A new direction was now given to the mind of the young man; and it is presumed by his biographer, that serious and religious thoughts became now more forcible than ever.

At that period, although a professorship of divinity had been founded at Cambridge by the benevolent foresight of Hollis, yet it was customary for young men to place themselves under the supervision and advice of some parish minister. To his former instructor, the Rev. Mr. Ware, Mr. Codman applied, and for a time took his directions. But he frequented Cambridge also; and though the death of Professor Tappan had recently occurred, yet he there found fellow-students, and associated with them. This association was of essential consequence; for it served to establish his religious views, and to prepare him for the decided course which he afterward consistently pursued.

It was esteemed by him a peculiar advantage, that his acquaintance with his former classmate — William Allen, afterward the biographer of his friend — was here renewed, and rendered permanent. He was from the interior of the State, and son of a distinguished clergyman at Pittsfield, of

"the old school." The renewed intercourse became, from several circumstances detailed at large in Dr. Allen's narrative, deeply interesting. Mr. Codman's affectionate heart was freely opened, and his religious exercises without reserve communicated, until his mind was fully established in the sentiments usually denominated, and, as appears to the writer, with strict propriety, "evangelical;" embracing the doctrines of the atonement, and of the necessity and efficacy of Divine Grace.

This present generation can with but great difficulty realize the difference between the actual and former state of religion and its concerns in our community. I use the word "former" with reference to the early part of the current century. At that time, as is admitted on all hands, the cause of serious, effective piety was at a low ebb, not only in our own country, but in England, notwithstanding the writings of Cowper, Newton, Wilberforce, Porteus, and Hall. As respects ourselves, the war of the Revolution is often brought in to explain the fact: and it is stated, that the Puritanic sentiments and manners of our venerated forefathers suffered greatly from the results of the political alliance with France; many of the officers of the army, as is alleged, adopting the deistical and infidel views of their foreign associates. There had, indeed, appeared the evidence of a revival of practical religion in the capital of Massachusetts about the year 1792; but this was mostly confined to the "Baptist" denomination, and not extensive. The "Methodists" also had commenced their efforts, two or three years before,* here and in this vicinity, but had not obtained that wide success which has since so remarkably distinguished their zeal. Most of the Congregational churches were in a quiet, conservative state; few beside aged persons appearing at the communion-table,

* See the Life of Rev. Jesse Lee, in the seventh volume of the *Annals of the American Pulpit*, by Rev. Dr. Sprague.

and conversions among the young being rare, and very observable when they occurred. "Moderate Calvinism" was professed by many of the clergy; and actually it was very moderate. "Experimental religion," so called distinctively, had declined, without question.

The frank, ardent temperament, and sincere, open, independent deportment, of young Mr. Codman, were operative and prominent in his religious views and the expression of them. They influenced his voluntary associations, and marked his general conduct, and that with characteristic uniformity, throughout the rest of his life.

It was not long before he concluded to avail himself of the advantage of a definite course of theological studies under the regular academic instructions of an appropriate institution. His kinsman, Mr. Charles Lowell, had already adopted this measure. Accordingly, he took passage for Liverpool in 1805. His object was a residence in Edinburgh. But he visited London before proceeding thither; and being furnished with letters to various individuals, as well as having personal relatives and friends then in the capital, his time was agreeably and profitably spent, especially with reference to his own spiritual improvement. This is evinced by copious extracts from his diary, published in Dr. Allen's elaborate Memoir, and from letters addressed to this "friend of his heart."

Mr. Codman's father had married, in 1791, his second wife, Catherine Amory, daughter of John Amory, Esq.; characterized as a "lady of singular intelligence, enlarged benevolence, and devoted piety; by whom he had six children." She survived her husband nearly thirty years; and, while her step-son was pursuing his studies at Edinburgh, her letters to him, of which some extracts are given by his biographer, exhibit "the mutual esteem and affection which subsisted between himself and that excellent lady." Replying to one of his letters, she remarks, "If you have reason

to thank God for the event which gave me to be your mother, how much have I to bless him that he gave me you for a son! . . . On what object can my affections so naturally fasten as on the counterpart of him who has been taken from them? My gratitude for the blessing is still more excited, when I view you as [thus virtually] the father of my children; and this is augmented by reflection on the sacredness of the profession you have chosen, which will add such weight and influence to parental advice. . . . Your happiness, and especially your advancement in the Christian life, never presses more forcibly and tenderly on my heart than when it is lifted up to the throne of grace; and I trust that my petitions for you will be answered in your safe return and useful subsequent life. With what pleasure do I look forward to that period when the influence of your precepts and example will so greatly aid me in rearing my children, and when we shall realize all the fond wishes expressed for them in your last!"*

This lady attended on the ministry of the Rev. Mr. (afterward Dr.) Channing, whom she most highly and justly esteemed, and who had taken a deep interest in the formation of Mr. Codman's Christian character, both before his going to Edinburgh, and while he was there. At this time, Dr. Channing was, in the view of worldlings, "almost the only melancholy preacher" in Boston. In evidence of his "strong evangelical feelings," Dr. Allen relates the circumstance, that after dining with Mrs. Codman, while her step-son was studying with Dr. Ware, he requested the young man to ride with him: "and during the ride, after much serious conversation, he expressed his fears that the religious speculations of the times were leading many astray; and he earnestly desired that his young friend might guard his mind from the prevailing errors, and that, by a prayerful study of the word of God

* Memoir, pp. 63, 64.

and an implicit faith in its teachings, he might be prepared for the solemn duties of the ministry." To this, Dr. Allen candidly adds, "Mr. Channing was not at this time ready to give up the evangelical doctrines: doubtless they were more or less modified in his view; but yet they exerted a powerful influence over his preaching and his life. Nor is it believed that this influence was wholly destroyed in any stage of his subsequent departures from the faith of the New-England churches."

In a letter to his young friend at Edinburgh, then in his twenty-fourth year, Mr. Channing writes, "I have suffered so much from indistinctness of views, that I wish to guard you against it. Be not contented with general views of religion. Analyze your heart, and seek to obtain from the word of God just views of the distinguishing exercises of a child of God; and, if then you have reason to fear for yourself, you cannot be too much impressed with your danger. On this point we cannot be too faithful. May God, who searches us, save us from deceiving ourselves on the infinitely interesting concerns of eternity!"

Before leaving Great Britain for America, Mr. Codman visited France, and remained in Paris several weeks, until his curiosity had been fully satisfied: and, after finishing his studies at Edinburgh, he visited his uncle at Bristol, preaching there in a "dissenting" pulpit; having received the regular license, dated April 29, 1807. Invited to preach in the Scotch Church, London, he labored there during a year, and then embarked for Boston; where he arrived in May, 1808.

A new parish had been recently constituted in Dorchester, and a house of worship erected and dedicated. Mr. Codman was invited to preach; and, after hearing him for two sabbaths, the church and congregation unanimously gave him "a call" to settle with them as their pastor. This drew forth a letter expressive of his religious views and aims.

Further communications ensued ; until at length, after an uncommonly full exposition of his sentiments, he was ordained on the 7th of December, 1808. This was his only settlement for the rest of his life.

* The history, however, of this pastorate, I will not take on me to give. It has already been written and published in all its details by able and competent friends, who have already been named as authors of a "Memoir" and "Reminiscences" of Dr. Codman. To both of these clergymen and intimate associates, the interesting trials of the beloved subject of their record were fully known ; and they were witnesses of the faithfulness and unquestionable conscientiousness with which he bore them. Both also were convinced, and that deeply, of the importance to be assigned to the result ; and both have without reserve asserted, that, in consequence, the name of Dr. Codman belongs to the ecclesiastical history of the country. No historian, indeed, of Congregationalism in Massachusetts or New England, can be faithful to his duty, who shall neglect to inform posterity respecting these scenes.

I will only remark concerning them, that it appears from the record of the friends alluded to (for the writer was not in the State at the time), that Mr. Codman's ministry was very acceptable to his people during the year that followed his ordination. After this it was that difficulties arose among some of them on the subject of exchanges in the pulpit services. The minister claimed the liberty of choice in regard to such of his clerical brethren as he should invite to address his people. The malecontents maintained virtually, that he ought to consult the wishes of his people, and make his exchanges agreeably. Two several councils were summoned, and the subject litigated for three years of trying experiences. At length, the pastor and his devoted friends succeeded ; their opponents withdrew ; and it became a decided sentiment, that the exchange of pulpit-labor should be governed by the pastor's choice.

Both of the writers who have been alluded to express their strong conviction of the wisdom of the resolution, and the benefits of its result; asserting, that it has tended to allay disputes which were becoming bitter, and to promote the peace of the churches. Nevertheless, it exposed the young minister, who stood in the front of the contest, to much and severe trial; which, it is apprehended, could hardly have been borne, except by one similarly trained and providentially circumstanced. It is, therefore, a fair subject of moral inquiry, in what spirit it was indeed borne, and what assistance arose from the providential circumstances of the sufferer in it.

No reader of the ample narrative of the life and religious sentiments of Dr. Codman, to which so repeated reference has been made, can doubt that his views and feelings were deeply and consistently engaged in that system, which, for distinction's sake, is termed "experimental," "evangelical," or "Calvinistic;" and it appears clearly, not only from the "Memoir" and "Reminiscences," but from printed sermons and addresses, published both before and after his decease, that the religious views he adopted, at what he believed his own conversion, were with unshaken firmness, yet with manifest humility, maintained to the last. The profession he entered and held was the employment of his free and cordial choice. Of its labors, trials, and supports, he took a deliberate and solemn view; and his actual experience became a searching, faithful test of his sincerity.

In an ordination discourse,* he remarks, "There never was a greater mistake than this, — that the duty of the preacher of the gospel is light and easy. Little do they understand the nature and extent of his work, who cherish such an opinion. To resist the powerful temptations to preach themselves which are continually presented by that arch-deceiver, who, while he delights to harass all the people

* Delivered at the installation of Rev. G. W. Blagden, in Salem Street, Boston, Nov. 3, 1830.

of God, directs his most envenomed rancor against the minister of the cross, is of itself enough to lead him to cry out, 'Who is sufficient for these things?' But when we consider the magnitude, variety, and extent of the subjects involved in preaching Christ, we cannot for a moment suppose that a preacher's duty can be otherwise than laborious and difficult. What constant and painful preparation is necessary to the conscientious minister, who would faithfully discharge his duty; who desires to bring beaten oil into the sanctuary, and not to offer to the Lord that which costs him nothing! What diligence and care to ascertain the state of his flock, that he may know how to give to each a portion in due season! What earnest cries to God for grace to warm his cold heart, that he may impart warmth to others! What bitter tears over his own barrenness and unfruitfulness! what sinkings of soul under the consideration, that so few believe his report, — that he labors in vain, and spends his strength for nought! If this be ease, and freedom from care, then is the preacher's duty an easy task. Ah! little do they know the duties and responsibilities of the sacred office, who entertain such an opinion. But, though laborious and difficult, let it not be thought that it is unpleasant and irksome, and without encouragement. No: it is the most delightful and honorable work in which it is possible for a human being to be engaged; and, with all its trials, difficulties, and discouragements, I would not exchange it for an empire and a throne. It is the presence and gracious aid of the Master whom he serves, that lightens the cares, sweetens the labors, and relieves the anxieties, of the preacher of the cross. It is the same cheering voice that comforted the desponding spirit of the apostle, and animated the hearts of the primitive disciples, which sustains the courage, and quickens the zeal, of the ministers of reconciliation. 'My grace shall be sufficient for thee, and my strength shall be made perfect in thy weakness. Lo, I am with you alway, even to the end of the world.' "

It might be supposed, and without doubt has been charged, that the stand taken by Dr. Codman evinced a spirit of bigotry, and hostility to freedom of thought and speech, with an assumption of personal impeccability, and an addictedness also to dogmatic wrangling; but in a review of his ministry for twenty years, preached to his people, he observes, "In reviewing *the principles* upon which I have acted during the last twenty years of my life, if I deceive not myself, I have the testimony of my conscience that I have ever endeavored to act with a single eye to the glory of God and the good of souls. These principles may be wrong; for I pretend not to infallibility. All I can say is, that I have never yet been convinced of their erroneousness, or I should have renounced them with the same frankness and decision that I have embraced and maintained them. The principles to which I refer are these: That there are certain doctrines peculiar to the gospel of Jesus Christ; and that, among these, conspicuously stand the supreme divinity and atonement of our Lord Jesus Christ, the reality of experimental religion, and the necessity of a moral renovation by the special agency of the Holy Ghost, as essential to the character of a Christian. On the firm belief of these opinions, I have uniformly acted; and have been unwilling to admit, as instructors of the flock over which the Holy Ghost has made me an overseer, those who do not clearly and unequivocally preach these, in my opinion, essential doctrines of the gospel." He adds, "These are the principles, which, in the early part of my ministry, exposed me to severe trials, and which, to this day, have loaded me with obloquy and reproach. . . . They have since been adopted and acted upon, not only by Trinitarian but by Unitarian ministers; and it is now generally admitted, that the difference of sentiment is so great, as to render this course highly expedient and desirable by both parties. . . . Let it be remembered, that the extent of my offending has been a reluc-

tance on my part to have my *own* people, solemnly committed to my watch and care, taught a system of religion which I honestly believe essentially defective. I have never presumed to judge others, nor to infringe upon the rights of others. I have uniformly been the warm friend and advocate of religious liberty; and all that I have ever asked is the liberty to feed my own flock with such food as I judged wholesome and salutary, and not suffer them to be fed by others who would adopt a regimen entirely different and opposite from my own. This was the offence for which I was brought before councils, and once excluded from this pulpit. My neglect to exchange ministerial labors with ministers of Unitarian sentiments was the well-known source of the memorable controversy which agitated this religious society soon after my settlement." *

One extract more from this "Review" is demanded, in justice to the proper exhibition of the humble spirit which marked its author, with all his firmness and moral courage: "I am constrained to acknowledge, that, on a review of my ministry for the last twenty years, I feel justly condemned, not in view of the principles upon which I have acted (for I have no wish to retract them); not on account of the doctrines I have preached (for, were this my last sermon and my dying day, I should desire it should be known that I lived and died in the faith of those sentiments): but on account of my many shortcomings in the discharge of my ministerial duties; on account of my coldness and inactivity in the service of the best of masters; on account of the many precious opportunities of doing something more for God, and for the souls of men, that I have for ever lost. May God forgive me that I have not done more for his glory,—that I have been such an unprofitable servant! I ask your prayers for me, my Christian friends, that, if my life is spared, I may be more faithful

* See the volume of Sermons and Addresses published by Dr. Codman in 1834, pp. 293-5.

in the discharge of my duty, and more devoted to God, both as a man and as a Christian." *

With regard to the providential circumstances of Dr. Codman, to which allusion has been made, it is very evident, that, had he been in the pecuniary condition in which very many enter the ministry of the gospel, he could not have sustained an attack so vigorous and persevering as fell to his lot, and which must render his name and case historical among us.

This sketch would be exceedingly imperfect were it only to characterize the spirit of its subject in relation to the actual exercise of the Christian ministry. Endowed as he was with social advantages, happy in his domestic connections, hospitable and kind in his habits, he was not backward in the encouragement and support of many of the numerous associations for the exercise of Christian beneficence which distinguish our country and our age. Especially did he take an interest in the efforts for extending the kingdom of Christ among the Heathen, and was an active and effective member of the American Board for that great object. But he did by no means overlook or neglect the spiritual wants of our new settlements; and the Home Mission shared his attention, along with the Society for propagating the Gospel among the Indians and Others in North America. Of a similar association, whose seat is in Scotland, with several of whose worthies he continued his correspondence to the last, he was a commissioner; and with the Andover institution for educating students in theology he maintained a salutary intercourse, — bestowing upon it a printing-press that bears his family name, and is furnished with fonts of type, not only for ordinary printing, but also for not a few of the Oriental languages. He likewise bequeathed to it his valuable library, rich in theological works, and especially in those of a distinctively Puritan character.

* Same vol., p. 310.

As a citizen and patriot, Dr. Codman took a deep and permanent interest in the welfare of his country; and this not only in its political, educational, and religious concerns, but, being himself a proprietor and cultivator of land, in its agriculture also. Hence his views of human employments were enlarged and general; and his influence, instead of being narrowed and confined by professional pursuits, partook of the extension to which his thoughts had been trained and developed.

As respects his connection with our Historical Society and its pursuits, I am inclined to believe, that, notwithstanding his general interest in the records of the country, that interest displayed itself more in relation to the religious character of its early inhabitants, and its transmission to their posterity, than in statistics of any other kind. Hence, in his addresses on anniversaries referring to "the Pilgrim Fathers," this view of our predecessors enjoys, as might well be supposed, the highest place. He traced, indeed, his own descent from the Winslow Family, of early distinction at Plymouth, as well as from that of Russell, which illustrated itself on the opposite side of the Bay of Massachusetts; and sympathized in their faith and devotion.

Dr. Codman died, in the bosom of his family, on the 23d of December, 1847, having entered his sixty-sixth year.

REV. CHARLES LOWELL, D.D.

My personal acquaintance with the late Rev. Dr. Lowell did not commence until after his ordination as Pastor of the West Church in this city. The occasion of it was the circumstance, that a family of endeared relatives,* branching sub-

* That of the late Hon. N. P. Russell, Esq., who became Treasurer of the Society; and his sister, now widow of L. Pope, Esq.; including their mother, Mrs. Sarah Russell (mother of the late Mrs. Jenks); and also the family of John Binney, Esq., who married Mrs. Russell's youngest daughter.

sequently into several households, had become his regular hearers, and attached members of the parish under his care; the connection, in regard to some of them, continuing during his life, and, as respects a few, prolonged with the parish even still. Running, therefore, through his whole ministry, and creating an interest in it with various excitements, this acquaintance gives authority to the "tribute" it is my present lot to pay to the departed.

For the discharge of this duty, there is no lack of sufficient documents, indeed, to supply what is wanting of personal knowledge; since the affectionate esteem in which the subject of it was held while living, and which has been elicited since his decease, furnishes them abundantly, although no express Memoir has been published.

His advantages of birth and training were of the highest character; and had, of course, their appropriate influence on his subsequent life. Of his friends he was not the first to receive the benefit of the most liberal education our country could afford, but derived an incitement to literary emulation from the station, connections, and influence of those to whom he sustained the nearest relationship. His father—the Hon. John Lowell, Esq., LL.D.—enjoyed the reputation of an eminent lawyer in this city; in 1781, was chosen a member of Congress; and having been appointed, by Washington, a Judge of the District Court in 1789, became in 1801, on the new organization of the courts of the United States, "Chief Judge of the First Circuit." He is characterized* as "uniting to a vigorous mind, which was enriched with literary acquisitions, a refined taste and conciliatory manners; being sincere in the belief and practice of the Christian religion."

Judge Lowell married Rebecca, daughter of Judge James Russell of Charlestown,† a lady whose name is embalmed in

* See his article in Allen's Biographical Dictionary.

† This long-distinguished American family descended from Richard Russell, of Herefordshire in England, who settled in Charlestown in 1640. The writer well

her son's dedication to his sister of a volume of his sermons;* in which he writes, "You will find in this volume a sermon containing the portraiture of a good mother; and will not fail to trace in it, though she was not the prototype, the lineaments of the character of that sainted being, now a ministering angel to us, from whom we both received our first lessons of piety,—lessons which she so fully and beautifully embodied in her own life and example."

Under the instructions and with the example of such parents, the life of Charles Lowell commenced, and his youth was nurtured. For a time, he was at the Phillips Academy, in Andover; as was also, we have seen, his cousin Codman. Afterward he was placed in the care and tuition of the Rev. Mr. Sanger, in South Bridgewater; with whom he completed his studies preparatory to entering Harvard College in an advanced standing, as sophomore, in 1797; taking his first degree in 1800. Two of his brothers had been graduated there previously; and his reverend grandfather, in 1721; his father, in 1760.

On leaving college, Mr. Lowell did not at once enter on the studies of that profession on which his heart was set; but, as we have seen his cousin did, passed at least a year, in his eldest brother's office, in the study of law. His brother, a truly eminent lawyer, had attained great practice, which he found to be burdensome, and contemplated relinquish-

remembers the venerable judge, to whom he was introduced by the judge's grandson, Dr. (then Mr.) Codman, in 1797; and who maintained the dignity of age with honor, and the respect of the whole community. By the coat of arms which his son Thomas, the wealthy merchant of Boston, used in his book-plate, as well as by information derived from another of his sons, James (of Bristol, England), it appears that the family did not claim to descend from the ducal branch of the Russells, first ennobled in 1649; but probably from that of Strensham in Worcestershire, the male line of which became extinct there in 1705, after having flourished five hundred years on that estate. This appears from Nash's History of Worcester, and from Wiffen's Memoirs of the House of Russell; tracing them from the old Norman stock, a scion of which was planted in England at the Conquest.

* Published in 1854.

ing his profession; and it was their father's wish that his youngest son should be prepared to enter the field, and reap the harvest made apparently so ready to his hand. However, the design failed; and young Mr. Lowell concluded to pursue his course of theological study at Edinburgh.

It was about this time that he lost his excellent father, who died at Roxbury on the 6th of May, 1802; having survived his brother-in-law, the Hon. John Codman (whose obituary he had written), as we have seen, but a short time. Whether this event affected the resolution of Mr. Lowell or not, I am unable to determine: but, in the autumn after, he sailed for Liverpool; proceeded thence to Edinburgh, where he entered the divinity school of the University; and for three winters pursued his theological studies in attending the stated lectures. With those of the eminent Professor Dugald Stewart he was highly pleased, and considered him "the finest lecturer he ever heard." In a notice of his lamented death,* which has already been quoted, it is added, that "the first summer he took a pedestrian tour to the Highlands of Scotland. He then visited England, France, and Switzerland." Having letters to several persons of eminence, he was received with the kindest attentions, particularly by Bishop Porteus and Mr. Wilberforce. He gave himself also the advantage of hearing Pitt, Fox, and Sheridan, as well as Wilberforce, in Parliament. In Paris also he saw Napoleon, when he first appeared as emperor. And, having preached at Hackney and at Bristol, he returned to Boston in 1805.

By the death of the Rev. Simeon Howard, D.D.,† who had succeeded the eminent Dr. Mayhew as Pastor of the West Church in Boston, a vacancy in that office had been created. Mr. Lowell was invited to fill it; and on the first day of January, 1806, was publicly ordained. This was his only settle-

* See Boston Daily Advertiser of Jan. 22, 1861.

† Aug. 13, 1804.

ment, and it continued for life : since, although his active services were not enjoyed by his people during some years of confinement toward its close, his affectionate parish would not receive his offered resignation, but regarded him as their pastor still ; the necessary duties of that office being rendered by the Rev. Dr. Bartol, settled in 1837.

We have now to contemplate him in his new and sacred and responsible situation. And here he shone ; not, indeed, as a controversial divine, but as a devoted minister of the Prince of peace, — devoted conscientiously to the welfare, temporal as well as spiritual, of his people. This was the distinguishing trait of his protracted ministry : and it met a full response in the affection borne to him, and variously manifested, from the beginning of it to its close. In very few religious communities have I known it more marked.

With equal independence of character, aided similarly by the prestige of wealth and family,* he yet took a course distinctly different from that of his relative whose life has now been briefly reviewed ; and although the state of theological opinion had not, as yet, developed the differences of belief existing actually, yet the way was preparing for that separation of churches and pastors from each other, which distinguished so observably the former portion of the present century.

But it is time that the pastor should be permitted to speak, as it were, for himself. From a sermon, therefore, on "Cheerfulness in Youth, sanctioned by Religion,"† an extract is made : "I am not," said the preacher, "and never have been, a believer in that system which would dress up the gladsome

* Not only did the father and elder brother of Dr. Lowell stand high in public estimation, as his grandfather had done, but his second brother, Francis C., acquired reputation and influence in a successful cultivation of an important manufacture ; and it was in reference to his public and private worth that the thriving city of Lowell bears the family name. — See Memoir of the Hon. N. Appleton, by the respected President of the Massachusetts Historical Society.

† From Eccl. xi. 9. — See Sermons chiefly Practical, published 1854, p. 32.

spirit of youth in the weeds of sadness, and convert the accents, even of early childhood, into mournful regrets and lamentations — if, indeed, these could be felt and indulged — for the deformed scene on which they have entered, and the deformed natures they have brought with them." He adds, "It is a system which has never been taught in this church, whose hundredth year is not very distant; and which, I trust, will never be taught here."

This important hint, or declaration, leads us directly to the history of the West Church, as given by its late senior pastor, who took much pains to be minutely accurate in his statements. It was organized in 1737, chiefly by members of several of the Boston churches; and its first minister was the Rev. William Hooper, who, in about ten years after, became Rector of Trinity Church, and died in 1767. His successors, in order, were the very eminent Dr. Mayhew, and the Rev. Dr. Howard, who immediately preceded the fourth pastor, our late lamented friend.

In the spirit of the quotation just made, the last remarks, when reviewing his ministry of forty years, and speaking of his first discourse, "The theme of it was from the fourth chapter of the Philippians: and the words were, '*Rejoice in the Lord alway; and again I say, Rejoice.*' Such was the text of the first sermon which I preached in this parish. It was my object in that sermon to portray the beneficial influence of religion on the character and happiness of man; and the concluding exhortation was in the spirit of the text, '*Rejoice in the Lord alway,*' — in joy and in sorrow, in prosperity and adversity, in riches and poverty, in health and sickness, in life and death. As I then presented religion to you in the garb of cheerfulness, and not of melancholy; as the inspirer of peace and hope, and not of wretchedness and despair: so, you will bear me witness, I have always presented it. As I then exhorted those who heard me to rejoice in the Lord alway, so have I exhorted you to do it in all the varied circumstances of

your lives. I have directed you to God as your Father and your best friend, and—as our religion presents him to us—as God in Christ, reconciling the world to himself. I have exhorted you to go to him, through Christ, as your only secure refuge; and have assured you, that none who went by that way should in any wise be cast out. So did I begin, and so would I end, my preaching. *‘Rejoice in the Lord always.’* And what an abundant source of rejoicing is opened to us in that religion which *teaches* us to rejoice in God! How often,—little as it seems to me that I have been instrumental in effecting in this already long ministry,—how often have I seen the influence of this religion in refining, purifying, sanctifying, elevating the soul of the believer; in soothing sorrow, sometimes indescribably great, and while nothing else could soothe; in reconciling, and more than reconciling, to death, when there was every thing to inspire the wish to live! But religion—faith in God and in Christ—had given the hope of a better world, and death was ‘swallowed up of life.’ Blessed hope! Hold it fast, my friends: do not let it go!”*

Three or four years before Whitefield’s first arrival in America, the West Church had been gathered; and in the eleven Congregational churches of Boston, of which this was one, it is related that he preached. This was in 1740. But what was the special course of Mr. Hooper in reference to him does not appear. Dr. Lowell, in making his investigations for the history of the church, states that he found in manuscript, in our Historical Society’s library, a correspondence in that year between Dr. Colman, of Brattle-street Church, and Mr. Hooper, which led him “to think that Mr. Hooper’s greater liberality of sentiment than some of his brethren had an influence in determining him to leave the Congregational communion. He was,” observes Dr. Lowell,† “a native of

* Occasional Sermons, published in 1855, p. 292, &c.

† Same volume, sermon entitled Retrospection.

Scotland; a man of more than ordinary powers of mind; of a noble aspect; an eloquent, popular preacher." And he adds, "It was on his account chiefly, as I have reason to think, that this church was formed; and the dissolution of his connection with it was universally and deeply lamented."

It is not a little remarkable, that Mr. Hooper's immediate successor, Dr. Mayhew,* should have become deeply engaged in a spirited controversy with the English episcopacy before the decease of Mr. Hooper,—a controversy which involved "his Grace of Canterbury," and contributed as much, perhaps, to the celebrity of the West-Church pastor, as his early, bold, patriotic stand in favor of the British Colonies in America; and the freedom which he demanded for his country, as a patriot, he claimed, vindicated, and exercised, in his own profession, as a minister of religion.

Rev. Dr. Howard, the successor of Mayhew, "an eminently wise and good man" (I use the words of Dr. Lowell), "followed in his steps, and neither brought himself nor his people under 'the yoke of bondage.' He did not enter, indeed, like his predecessor, upon the thorny field of controversy; but, like him, he asserted his independence, and inflexibly maintained the sufficiency of the Scriptures, and the indefeasible right of every man to search and judge for himself. It was his own language, with respect to the duty of a Christian minister, that he should 'subscribe no man's creed, and require no man to subscribe his. I know not,' he says, 'how to reconcile the conduct of those who set up other standards of Orthodoxy, besides the Holy Scriptures, with that superior regard which is due to those sacred writings.'"

* "One of the ablest men our country has produced," wrote Dr. Lowell in giving a history of the West Church. The Life of Dr. Mayhew was published by the late Alden Bradford, Esq.; but it has excited my wonder that his Works have not been republished, by the friends of his sentiments, in a regular set. They were, indeed, collected with much care by Lieutenant-Governor Lincoln (father of the respected Ex-Governor), of Worcester, as he himself assured me many years ago.

"It has been my ambition," adds Dr. Lowell, in the discourse from which the preceding sentences have been drawn, "like those who have gone before me in this church, to keep myself free from the shackles of human authority; and, to this end, I have adopted neither the name nor the creed of any party.* If I had selected any other name than that which the first disciples bore, it would have been 'eclectic,'—taking from each party what seemed to me to be truth: but better than any other name is the name of 'Christian;' and better than all other creeds, the word of God. This name is as definite, and this creed is surely as intelligible, as any other. Whilst, however, I would build my faith on no man's foundation in matters of religion, I have an entire respect for him who diligently and devoutly studies his Bible in search of truth; and, though he may come to a result different from my own, if I perceive in him the fruits of holy living, I have no anxiety to convert him to *my* faith, however dear it may be to me. The mode of faith that is best for me may not be best for *him*. I am satisfied with his faith, if it is productive of good works. I remember that the Saviour has said, 'By their fruits ye shall know them;' and that an apostle, too, has said, 'Show me thy faith without thy works, and I will show thee my faith *by* my works.'

The sentiment that originated the resolution thus expressed was, with apparent conscientiousness, and certainly with much firmness, maintained on all occasions, which, as he deemed, required it, by Dr. Lowell. Hence it was that he published a

* So frequently was this avowal made, and so resolutely kept, that the anonymous author of "Pages from the Ecclesiastical History of New England" has not hesitated to say, after enumerating several of the Boston ministers, who had adopted Socinian sentiments, renouncing the "Puritan" doctrines, "Lowell rejected least, and would never permit himself to assume any other title than that of 'Christian,' nor to be numbered with the party with whom he acted." This pamphlet is a republication of papers from the "Episcopal Observer," evidently written by one of that denomination, in which evangelical piety and Christian zeal have been greatly resuscitated since the commencement of the present century.

discourse entitled "Union in Sentiment among Christians, not essential to Peace."* Another is in the same volume, asserting that "the name of Christian [is] the only appropriate name for believers in Christ." He also wrote a discourse† maintaining that "theology, and not religion, [is] the cause of division and strife in the Christian Church." One of his sermons also is entitled "Men accountable only to God for their theological Opinions." Another is on "The Trinitarian Controversy," grounded on Luke x. 22.

These several discourses exhibit distinctively the views he entertained of the gospel and its requirements, and the reasons on which he grounded his habitual conduct. That conduct, although different from the course of many whom he highly esteemed, he justified to his own conscience by the arguments which in these discourses he has given; and took and exercised what he judged to be "the liberty wherewith Christ makes free." The limits to which these remarks may be extended will permit no further specifications.

In the practical discharge of his duties as a pastor and minister of a parish, Dr. Lowell, as I have ventured to say, shone peculiarly. It was, indeed, that which endeared him remarkably to the people of his charge. Nor to them only; for at the time of his settlement, and during the early portion of his ministry, none of the now numerous associations for the religious instruction and comfort of the poor had been formed. The eminently pious and excellent Dr. Stillman, whose spiritual services had been so acceptable wherever they were rendered, in private as well as in public, died in 1807. Dr. Thacher, too, of Brattle-street Church, ever welcome to the afflicted, had sunk under disease, previously by some years. And now the sympathy with suffering, and the devoted attention to such as sought his kindness, manifested among his own

* No. X. of his Occasional Sermons.

† No. XI. in the same volume.

people by Mr. Lowell, opened the door for many applications from beyond these limits. He says himself, in recalling his labors,* There "was a large accession of worshippers on the erection of the new church," in 1806; "and the parish, during the greater part of my ministry, consisted of from three to four hundred families. Circumstances also brought under my care the largest part of that portion of the population who were destitute of a stated ministry; so that I was for several years the 'Minister-at-Large' in fact, though not in name. . . . There were demands upon me, for ministerial services, from every quarter and from every class of society, by day and by night. My slumbers in the night were broken by calls to the sick and dying. Not seldom I have been obliged to find my way through dark and narrow passages, to minister, in their sickness and death, their penitence and fearful forebodings, to the most degraded and abandoned, of whom there were not a few in a remote section of the part of the city in which I lived. I could not portray in language the heart-rending scenes I have witnessed.† Ah, how fearful will be the account *they* must render, of whose unhallowed passions and cruel artifices these sufferers were the miserable victims! In performing these painful and wearisome labors, 'necessity was laid upon me.' I did no more," he adds with exemplary modesty, "than common humanity would lead me to do; and all I did was done with the prompting and in the strength of Him who is the author of all good designs, and whose 'strength is made perfect in weakness.' The burden which has thus devolved upon me was greater than I could bear; and the impaired state of my health led, by the advice of the parish, to my fixing my residence in the country. The number of churches, in the mean time, was

* Review of a Ministry of Forty Years, Occasional Sermons, p. 297, &c.

† He alludes, doubtless, to "the hill" between Beacon and Cambridge Streets, where not unfrequently his name was heard by me, while pursuing a course of Christian duty under the auspices of the Society for the Religious Instruction of the Poor, several of whom, in subsequent years, sorely missed his ministrations.

multiplied; and there was less necessity for my extra services. From these extra services, my removal, in a great measure, released me; though I continued to perform my appropriate parochial duties as usual."

How these "parochial duties" were performed, the following paragraph will declare. It is drawn from the same discourse: and the author says, "Is it amiss for me, in this connection, to say that I am not conscious of having ever heard of sickness or trouble in any of your families, that I have not gone to do what became me as your minister to do; or that I have ever known of any considerable accession to the sources of your happiness, that I have not rejoiced with you in your joy, and endeavored to lead you to a grateful improvement of the goodness of God to you? One thing more I may claim to say, that my pastoral visits have never been spent in idle gossiping. I have aimed to make them useful, however much I may have failed to do so. A minister of religion, I have felt that it became me to teach religion, not only 'publicly,' but 'from house to house;' to 'watch for souls,'—God forgive me that I have not been more faithful!—'as one who must give an account.'"

His labors were lightened by the happy settlement of a colleague; but for some years before his decease, although he journeyed for health in this country, and revisited Europe (extending his tour, accompanied by his wife and daughter, even to Greece and Palestine, of which he gave a brief account to his people), he was exercised with debility and sickness. Under these sufferings, however, he was sustained in a meek, uncomplaining resignation, even to the close of his earthly life.

His connection with the Historical Society of Massachusetts, as their Corresponding Secretary for a long series of years, deepened their interest in him, and endears to them his cherished memory. He was born in Boston, Aug. 15, 1782; and died at Cambridge, Jan. 20, 1861, in his seventy-ninth year.

And now, having briefly passed over the lives of these two clergymen, lately so much and so deservedly confided in by their respective parishes and friends, and permitted them afresh to speak, as it were, for themselves, let us pause a moment for a partial retrospect. Wesley, the honored head and archbishop of Methodism, is reported to have said, "I do not wish that my preachers should be *gentlemen*." His meaning I take to have been, that he did not desire effeminate, self-seeking, self-sparing men for the ministrations of the gospel. But here we have two devoted ministers, laborious, faithful, conscientious, to whom none who knew them will deny the name of "*gentlemen*," yet choosing and exercising their profession with a reverential sense of dependence on God, and need of his grace; withholding themselves from no exertion in their power to make in the discharge of duty: and, though they adopted views in several important particulars differing essentially, who shall pronounce a decisive judgment against either? Happily, it is not our business. "There is One that judgeth," and before Him we must all appear. Well may we adopt the language of a contemporary, who, when mentioning the late Rev. Cortlandt van Rensselaer, observes, "Some of the most laborious, earnest, and successful preachers are men above the reach of want, and independent of the support of their people."*

I cannot but regard it as a great advantage to both the persons whose lives we have been reviewing, that, before entering on their strictly professional studies, they had opportunity to pass a year in the study of law. It tended, I doubt not, to give them correct views of the organization of civil society, the excellency of our own invaluable institutions, and the gratitude we owe to God for them; thus preparing the way for appreciating the blessings of "the glorious gospel of the blessed God," by the influence of which alone these privileges may be rendered permanent.

* New-York Observer.

Hence the liberal expression of rational and decided patriotism, apparent in their occasional discourses on public days. Not that political sermons answer my views, or theirs, of the great design of the Christian pulpit; but, under governments like ours, it surely is inexpedient so to restrict and circumscribe its occupant, that he shall not, without giving offence, utter in public what overburdens his heart in secret, when he contemplates the concerns of his country. How shall he discharge his sacred duty if he have not this liberty? Besides, men of cultivated intellect and of integrity, liberally educated, and animated with Christian love, cannot be restrained from taking an interest in these things, nor from having their own opinions about them; "for," as says the Apostle Paul, when characterizing nobly the Christian spirit, "God hath not given us the spirit of fear, but of power, and of love, and of a sound mind."

MARCH MEETING.

A stated monthly meeting of the Society was held this evening, Thursday, March 13, at half-past seven o'clock; the President, Hon. ROBERT C. WINTHROP, in the chair.

Donations were announced from the publishers of the "Farmer and Gardener;" John Appleton, M.D.; George Clasback, Esq.; Thomas F. De Voe, Esq.; B. P. Johnson, Esq.; Thomas S. Kirkbride, M.D.; Hon. J. Segar; and from Messrs. Bigelow (G. T.), Folsom, Quint, Park, Robbins (C.), Warren, Washburn, Willard, and Winthrop, of the Society.

The Report from the Society's Cabinet noticed a donation by Joseph E. Adams, Esq., of Newbury, Mass., of a pistol, formerly belonging to Col. Paul Revere; for which the Cabinet-keeper was directed to communicate to the donor the thanks of the Society.

Mr. WARREN presented a *fac-simile* copy of "An Ordinance to dissolve the Union between the State of South Carolina and other States united with her, under the Compact entitled 'The Constitution of the United States of America,'" dated Dec. 20, 1860; to which are annexed the signatures of delegates of "the people of South Carolina in convention assembled."

The President, in calling the attention of the Society to the recent death of three of its distinguished members, — Dr. Bell, Hon. William Appleton, and President Felton, — remarked as follows: —

It may not, perhaps, have been forgotten, gentlemen, that at our January meeting, in reporting the nominations of the two Resident Members, the acceptance of one of whom has just been announced, it was remarked from the Chair, that their election would complete the number to which our Society is limited by its charter; and that, for the first time since our original incorporation, there would then be a hundred living names upon our roll.

But it is for man to propose, and for God to dispose.

On the morning of the very day on which the election was to take place, and when our roll was to be thus auspiciously completed, the tidings reached us, that one of our number had already fallen a victim to the privations and exposures of the camp, while devotedly employed in the medical service of the army of the United States. A few days only intervened, before it was announced that another of our honored asso-

ciates, in our immediate neighborhood, had passed away from these earthly scenes. And now, within a week or two past, a third name has been added to the list of those whom we may never again be permitted to welcome within these walls.

The death of Dr. Luther V. Bell was briefly noticed at our last meeting; and if the tributes which were paid to his memory, on the impulse of the moment, were somewhat less formal and less finished than they would have been if the tidings had reached us at an earlier day, they had the freshness and fervor of an immediate sorrow, and were by no means wanting in appropriate manifestations of respect for his character, and regret for his loss. After many years of varied and most valuable service to the community, his declining health had compelled him to seek retirement from the active labors of his vocation; but, when the Government of the country was heard calling upon the people to take up arms in defence of the Capital and of the Union, he forgot all physical infirmities of his own, and volunteered at once to discharge such duties in the field as belonged to the profession of which he was an honored member. Having already passed through the grades of regimental and brigade surgeon, and having rendered conspicuous services in the most memorable conflict of the war, he was just proposing to seek the relief which he required, and to which he was so richly entitled, in a post of even greater responsibility, but of less immediate exposure and fatigue. His desire was fulfilled in a way which he thought not of. The rest which he was about to claim at the hands of the Government, he received at the hands of God. A brief and sudden illness soon prostrated his enfeebled frame; and he died in the camp which had been the scene of his humane and unremitted labors for the lives of others. We shall remember him proudly, as the first, and we trust we may be permitted to say, when peace and concord shall again be restored to our land, as the only one, of our members who has fallen in the military service of our country.

It would hardly be quite just, however, to the memory of another lamented associate, — the Hon. William Appleton, — whose death we are next called on to notice this evening, were we to forget that his immediate decline was undoubtedly accelerated by the labors and cares with which his strength had been overtaken in the civil service of the Union. As a member of the House of Representatives of the United States, he remained faithfully at his post, during the anxious and agitating session of the last summer, long after his health had become so seriously impaired as to excite the just apprehensions of his friends. His commercial information and financial experience were indispensable to the committee of which he was a member, and his colleagues on that committee were unwilling to spare him from their councils. He returned home at last, debilitated and exhausted; and resigned his seat only in season to make final preparations for the change which so soon awaited him.

It has already been my privilege to unite with our fellow-citizens in paying a tribute to this excellent man and public benefactor; and I forbear from adding any thing on this occasion to the simple announcement of his death.

Nor do I propose to dwell long on the third name which has been so sadly stricken from our roll, and from other rolls where it will be still more missed, since our last monthly meeting. There are those present to whom it fitly belongs to deal with the character and accomplishments of the late President Felton; yet I should be false to the impulses of my own heart, were I to withhold all expression of sorrow for the loss of one so honored and so loved. Few persons, I think, have known, better than he, how to combine the cheerfulness and cordiality which belong to the companion and the friend, with the seriousness and earnestness which belong to the student and the instructor; and we hardly know which will be most missed in the sphere from which he has been so prematurely removed, — his thorough scholarship or his genial fellowship.

His long and faithful services to the University, of which he had so recently become the honored head, were hardly more remarkable than his untiring readiness to lend his counsel and his experience to the cause of our Common Schools. He shrunk, indeed, from no labor which could be demanded of him, — from no service which he could anywhere find an opportunity to render, — in the cause of education, science, or literature; and yet he never denied himself to the claims of social life or to the offices of hospitality and friendship. His modest estimate of his own acquirements was in striking contrast with his generous appreciation of the accomplishments and efforts of others; and he never seemed better satisfied with himself than when he was paying a hearty tribute to the merits of a friend.

His connection with our Society was not of many years' standing; but we shall not soon forget the eager interest with which he entered into our proceedings on more than one occasion. His voice has again and again been heard here, in eloquent eulogy upon those who have gone before him; and some of his utterances on these occasions seem almost prophetic of his own early end. It seems but yesterday, that, after paying an affectionate tribute to the memory of the late Judge White, he reminded us, in a tone of almost triumphant anticipation, that "the grave is but the gateway that leads to immortality;" bidding us "follow courageously in the heaven-illuminated path of the good and famous men who have gone before us."

It seems hardly more than yesterday, since, in speaking of the sudden death of Prescott, he told us, that, "with the loveliness of returning spring, the announcement would be heard, even to the shores of Greece;" and that, "under the matchless glories of the sky of Attica, a sense of bereavement would mingle with the festivities and Christian welcomes of that joyous season."

He little imagined how soon these words would become

applicable to himself. His own modesty may have repressed the imagination that they would ever be applied to him. Yet no one, who recollects how closely he had identified himself, during more than a quarter of a century past, with every thing which relates to that classic soil, — with the study of its ancient and of its modern language, with its matchless literature, with its marvellous history, with its reviving hopes, — no one, certainly, who has had an opportunity of knowing the esteem, respect, and affection which he won there during the two visits which were almost the only relaxations of his laborious life, can doubt for an instant that the tidings of his death will touch many a heart in the land which he so delighted to illustrate, and that his loss will be deplored by not a few of those who have inherited the language of Homer, Thucydides, and Xenophon.

It was my own good fortune to be able to give him his first introduction to the English ambassador at Athens (Sir Thomas Wyse), with whom he formed the most intimate and cordial friendship, and through whom I have repeatedly heard how deep and lasting an impression had been left there of his kind and generous nature, his thorough and comprehensive scholarship, and his ardent and almost romantic affection for that land of glowing skies and glorious memories.

There is one precious memorial of his interest in that land, and of a better land also, which cannot soon be forgotten, either there or here, and the recollection of which is in peculiar harmony with an hour like this. I refer to the communion-plate which he exerted himself so eagerly in procuring, on his first return home, for a little Episcopal chapel at Athens, then under the care of Dr. Hill, whose character and services he ever spoke of with the highest admiration. The twofold glories of the spot, as the scene of the grandest efforts of the two noblest orators of the world, — the classic and the Christian Demosthenes, — inspired him with even an unwonted enthusiasm; and few things gratified him more (if I may judge

by repeated expressions of his own), than to have secured for himself, and for a few of his American friends, the privilege of offering this little pledge of Christian sympathy to those who should assemble beneath the shadows of Mars' Hill — where Paul so triumphantly confronted the Epicurean and the Stoic, and that whole inquisitive and jeering crowd of Athenians and strangers — to partake of the supper of our Lord, and to commemorate the transcendent reality of the resurrection from the dead.

Not long afterwards, he took "Paul, as an Athenian Orator," for the subject of a popular lecture.

But I will detain you no longer, gentlemen, from the worthier tributes which others are prepared to pay to the memory of our departed friends, and for which I have been instructed to open the way by introducing the following resolution:—

"Resolved, That this Society has heard, with the deepest regret, of the deaths of their esteemed and respected associates, the Hon. WILLIAM APPLETON, and CORNELIUS CONWAY FELTON, LL.D. : and that Dr. Chandler Robbins be requested to prepare the customary Memoir of Mr. APPLETON ; and Mr. Hillard, that of President FELTON."

Mr. HILLARD, in seconding the resolution, offered the following remarks:—

Since our last meeting, the community in which we live; the College at Cambridge, in which we all feel so affectionate an interest; the fellowship of men of letters all over the world,— have been called upon to mourn the death of Cornelius Conway Felton, President of Harvard College, in the prime of his life and the meridian of his powers. We, too, share in this general grief; for he was our honored and beloved associate, a constant attendant at our meetings, and taking part in our proceedings with that hearty and engaging sympathy which was so attractive an element in his character. We feel conscious of a painful void, not merely in our own limited circle, but in the ranks of those, never so numerous as to

make a gap unobserved, by whom superior powers, under the guidance of duty, are employed for the advancement of the best interests of literature, civilization, and humanity. We are in a condition to feel the full force of the words of Burke, speaking of the death of his son: "At this exigent moment, the loss of a finished man is not easily supplied."

In giving expression to our sense of his worth, I shall not undertake to narrate the events of his life, or to enumerate his various literary labors and productions; but shall confine myself to an attempt to delineate what he was, and to state what were those gifts of mind, and graces of character, which secured to him so large a measure of esteem, admiration, and love. For the discharge of this melancholy duty, I can claim at least the qualification which comes from an intimate friendship of more than thirty years' duration.

Our departed friend and associate was peculiarly and pre-eminently a scholar. He was not given to the habit of self-inspection. Had he permitted himself to take the gauge and estimate of his own merits, he would have rested his title to honor and remembrance upon what he had done in his chosen profession of literature. He was born with an intense love of knowledge; and, deeply as he had drunk at the fountains of knowledge, this noble thirst of the mind was never slaked. To the very last, he read and studied with the same fresh and eager delight with which in his boyhood he availed himself of the privilege, not lightly earned or early won, of obtaining a liberal education, when the longest day was not long enough to slacken his zeal, or abate the edge of his intellectual appetite. With powers of acquisition proportionate to his love of knowledge; with a memory which was "wax to receive, and marble to retain;" with a mind active, and hospitable to every form of learning,—it is hardly necessary to add that his attainments were various, profound, and exact, and that he was entitled to be ranked among the best scholars of his time.

In his special and peculiar department of scholarship — a knowledge of the language and literature of Greece — he had certainly no superior, and hardly an equal, in this country. Tried by the highest standard of England or Germany, he would have been deemed an excellent Greek scholar; and, to those who know what that standard is, this is no mean praise. And he was strongest in the highest department of scholarship, — the comprehension of the spirit of Greek literature, and the peculiar characteristics of the mind of Greece. It is hardly possible to imagine two eminent Greek scholars who were less alike than he and the late Richard Porson, who, though the greatest of verbal critics, and of unrivalled skill in investigating the metrical laws of Greek poetry, was apparently as insensible to the genius of the authors he edited as if he had been a sailor of the Peiræus, or a charcoal-burner on Mount Parnes. Felton was by no means wanting in verbal accuracy and metrical knowledge; but he was most remarkable for quick perception and sympathetic appreciation of the intellectual traits of the great writers of Greece. There was not a single string in the many-toned lyre of Hellas which did not cause a chord of unison to vibrate in his breast. Pindar, Demosthenes, Thucydides, the three great tragic writers, Aristophanes, Herodotus, were all familiar to him, and all were enjoyed with discriminating relish; but for Homer he had a peculiar reverence, and in the reading of him he took peculiar delight. In his judgment, there was no commensurate name in all literature. The morning-star of poetry, — the earliest set in the sky, — he was, to his eyes, still the brightest of all the glittering host. Among all the editors of and commentators upon Homer, it may be doubted if there were one who more thoroughly understood him, or read him with livelier pleasure. Proportionate to his admiration of the author of the "Iliad" and the "Odyssey" was the earnestness with which he rejected the theory which denies his personality. He could not bear to think that these divine poems were an

aggregation of ballads, — a sort of Hellenic Percy's Reliques, — mortised and dovetailed together by some clever literary cabinet-maker.

It was natural that a man of such scholarly tastes and such warm sympathies should transfer some of the interest which he felt in the history and literature of ancient Greece to the regenerated Greece of to-day. In the course of two successive visits, he passed several months in that country, mostly in Athens; and those who knew him can well imagine the delight with which he saw, face to face, the memorable spots which had been so long visible to the eye of the mind, over which hung a light brighter than that of the sun, and which were suffused with colors lovelier than the rainbow. He was familiar with the new-born literature of the country, and spoke its language with ease and fluency. He was cordially welcomed by the intelligent and cultivated men of that country, who saw in the presence of this learned, accomplished, and amiable man, animated with a scholar's enthusiasm and a pilgrim's reverence, coming from —

"Regions further west
Than their sires' Islands of the Blest," —

a new proof of the intellectual influence of those immortal minds, which in other days had shed such lustre upon their land. He looked with hopeful eyes upon the future of Greece. He was warmly interested in her people; recognizing fully all their good qualities, and finding an excuse for their faults in the bad government under which they had so long languished.

His acquisitions were by no means confined to the language and literature of Greece. He was an excellent Latin scholar, and was not ignorant of Hebrew. With the languages of modern Europe he was entirely familiar, as with the works of the best writers in all of them. In English literature, his range of reading was almost universal; and his taste was manly, catholic, and generous. His stores of learning were

all regulated and controlled by sound good sense, true moral instincts, and gentle and gracious affections. No man had less of what Bacon calls the "peccant humors of learning." His attainments did not make him arrogant or pedantic or exclusive or fastidious. He was free alike from self-assertion and self-reference. He came up to Bacon's ideal; for he "entered into a desire of learning and knowledge, sincerely to give a true account of their gift of reason, to the benefit and use of men:" and he regarded knowledge as "a rich storehouse for the glory of the Creator, and the relief of man's estate." And let me yet once more recur to this illustrious thinker for a trait of our departed friend: "But this is that which will indeed dignify and exalt knowledge, if contemplation and action may be more nearly and straitly conjoined and united together than they have been; a conjunction like unto that of the two highest planets,— Saturn, the planet of rest and contemplation; and Jupiter, the planet of civil society and action." These words meet his case. President Felton's sympathies were as quick as his mind was active. Fond as he was of study, he would not have been happy if he had been doomed to pass his life in his library. His nature craved action as well as contemplation. Much as he loved his books, the human face was yet dearer to him than any book. I have never seen him in a large assemblage, without noticing upon his countenance a winning and unconscious expression of sympathetic pleasure in the mere presence of his kind. He took a lively interest in the diffusion of knowledge and in the cause of popular education. He had been for many years one of the regents of the Smithsonian Institution, and a member of the Board of Education in Massachusetts; and the duties of these posts, which did not call into exercise the higher qualities of his mind, and from which he could not hope to win any new distinction, were discharged by him with exemplary fidelity and hearty zeal.

His style was vigorous, flowing, and graceful. It was often

enlivened by a vein of playful humor, and was pervaded with the genial qualities of his heart; but he wrote too rapidly for the highest finish. In this respect, his later compositions have a marked superiority over those of earlier date. His ear grew finer, and his sense of the beauty of language more acute, as he grew older.

His power of communicating knowledge was not quite equal to his facility in acquisition. He was an admirable teacher to such as were willing and resolved to learn; but his temperament was not exactly of that kind which is best suited to spur the sluggish and animate the cold. For these last, a teacher has need of certain physical gifts which can hardly be acquired by taking thought: he has need of a restless spirit, an ear like the mole's, and a vigilant and ubiquitous eye.

But mere talents and learning do not enter largely into the composition of those qualities which make man dear to man. There have been some great scholars in the world that were not estimable, and many that were not lovable. But our friend had received, in even larger measure, those traits which win affection, than those which secure admiration. If I were called upon to name the one quality which was most conspicuous in him, I should say it was sweetness. This gives an inexpressible charm to the character, when combined, as it was in his case, with masculine energy and intellectual force. What Burke said of Fox, that he was a man to be loved, was strictly true of him. His feelings were quick, and he was by no means incapable of resentment; but there never was a human being more free from envy, malice, and malignity. His anger, if he ever felt it, was, like the anger of Hooker, "the momentary bead upon a phial of pure water, instantly subsiding without sediment or soil." He was one of those men whom disappointment could not have soured, and defeat could not have embittered. He had earnest convictions; and, more than once, felt called upon to engage in

controversy in defence of what he deemed the right: but, though he was a hard hitter, he never struck an unfair blow. His temper was most placable and forgiving: the atmosphere of unkindness and estrangement was most uncongenial to him. He disliked to think or to speak of the faults, errors, and weaknesses of others.

He was very unfastidious in his likings. He gave his affections freely to all who laid any claim to them. He was always a busy man; but he bore with infinite patience the drafts upon his time to which his good nature exposed him. I have never known a man, with so many calls upon his own hours, who was so ready to labor for his friends. If we could see in one amount all the work he has done for others in the course of his life, from pure kindness of heart, without hope of reward or of distinction, it would fill us with admiration.

I have just spoken of his sweetness. Let me here mention another quality which characterized him to a remarkable degree; and that was purity. Not only was his life spotless from his youth upwards, but his lips were unstained. No unhand-some image ever intruded into his mind, or took the form of words upon his tongue, not even in his freest and easiest hours of social intercourse. And, to value this trait as it should be valued, we must remember that it was not because he was cold that he was pure. He was just the reverse: his temperament was eminently genial, his tastes were social, and he had a very keen sense of the ludicrous. This peculiar purity of life and speech, which distinguished him even in his boyhood, gave a touch of reverence to the affection with which his friends regarded him. Towards woman, his feelings were compounded of the fine ideal sentiment of chivalry, and the respect which rests upon an unqualified recognition of the code of morality which the New Testament prescribes for the conduct of life in the relations of sex.

Seeing that his mind was so fruitful, so active, so stored with learning; that his heart was so warm, that his tem-

perament was so genial, — it might have been expected that his conversational powers would have been in exact proportion to his general capacity and attainments; but they were not so. In mixed society, when many were present, a veil of silence was apt to be drawn around him. This was partly owing to the genuine and unaffected modesty which was a conspicuous trait in his character. He never liked to set himself in the front of a conversation. Among a few friends, where he felt perfectly at ease, the rich stores of his mind and memory were freely displayed in discourse; and, on these occasions, he was one of the most instructive and delightful of companions.

I have had occasion to speak of the feminine traits of sweetness and purity that gave a charm to his character. As if by way of compensation for withholding from him the gift of brilliant conversational eloquence, he had received in large measure the feminine accomplishment of letter-writing. Women write better letters than men, as a general rule; and the charm of feminine letters consists in the graceful way in which the daily incidents of life are told, and airy trifles are preserved in the amber of simple and pellucid English. Felton's letters had these attractive qualities to a degree not often found in masculine letters, which, when long, are apt to be essays; and, when short, telegraphic despatches. His published writings were, generally speaking, of a nature which forbade the exercise of his playfulness and his humor; but, in his letters, these qualities, of which he had an ample share, found a congenial sphere for their display.

President Felton's character was distinguished by simplicity and truthfulness. He inspired confidence, because he was so easily understood. He did not seek to conceal what he was, or affect to be what he was not. A more transparent nature could hardly be found. He moved towards his ends in a straight way, and was utterly incapable of accomplishing any thing by indirection. Towards his friends, his heart was

as open as the day. With them he had no reserves, no concealments, no half-confidences. Suspicion and distrust never visited his thoughts: he had hardly enough of them for his own protection against designing approaches.

Now that he is gone, it is interesting to me to recall the growth of his powers. When I first knew him, he lived in two worlds, — his books and his friends. Neither nature nor art contributed much to his happiness or his intellectual progress: but, as is well known, Greek poetry and Greek art illustrate each other in a remarkable degree; and his study of the former involved that of the latter; and thus a taste for art was formed in him. As might be inferred from this statement, sculpture and architecture gave him more pleasure than painting. In his later years, the shows of earth and sky were more noted by him, and had become more distinct sources of satisfaction. I suspect that this is a general truth: most men are more sensitive to the beauty of nature at fifty than at twenty-five. The sense and faculty of music were denied to him. He hardly knew one tune from another; and, though music was rather agreeable to him, he did not care enough about it to go in search of it. I do not think that he ever essayed to utter a musical sound. This want was sometimes the subject of playful observation among his friends, especially in his later years, when he had such access to musical privileges as lovers of music would have highly prized.

As might be supposed from the qualities of his mind and character, he was a man full of earnest patriotic feeling. He loved his country with a fervent, but not an indiscriminate love. The very strength of his attachment made him all the more sensitive to errors, mistakes, and faults. He looked forward to our future with that hopeful spirit which was the natural expression of his healthy and happy temperament. His mind was averse to extreme views in any direction. Never a politician, he always took an interest in politics. Independent in his judgment, he was sometimes moved to take

a direction in politics opposed to that of some of his friends; but, if a friendship was ever cooled on this account, it was assuredly not his fault. I have never known a man who surpassed, and rarely one who equalled, him in respect for the intellectual rights of others, — a quality which, in our community, is not likely to become cheap through abundance.

Some of his friends regarded his elevation to the Presidency of Harvard College as a doubtful experiment. They felt that he was exactly suited for the duties of Greek professor, and that it could only be determined by actual trial whether he were equally well fitted for those of the higher place. These doubts and misgivings, if any such there were, sprang from an affection which was watchful and anxious because it was so great; and time was dispelling them. Events were showing that he was easily and happily adapting himself to his new duties; and that one, who, like him, was a Christian, a scholar, and a gentleman, could not but be a good head of a university. His friends, and the friends of the College, were looking forward with confident hope to many years of wise government and prosperous administration under his rule.

How much have we lost in losing our friend and brother, — a man of such large powers, such wide culture, such moral worth; with a heart so young, so full of kindness, gentleness, and love! How many empty places are left by the removal of one whose relations to life were so various, whose sympathies were so wide and so warm! Not alone here will he be mourned; for, wherever he went, he made friends. The scholars of Germany will lament his death, for he was worthy to stand in their foremost rank; and no one recognized more understandingly and generously than he the obligations which classical learning is under to the students of that country. The scholars and statesmen of rejuvenated Greece will grieve for him; for he was their eloquent champion and advocate, their warm-hearted friend, who loved their land as a sort of an adopted country, and was never silent when any one spoke in disparagement or distrust of it.

But, in this our hour of fresh bereavement, — looking into his newly opened grave, — let us not forget the soothing, elevating, and consoling thoughts which the contemplation of such a character and such a career inspires. His life was bright and pure and high; it was filled with good works and good words; it has left tender memories, affectionate regrets, sweet recollections, in hearts without number. It was an eminently useful life; and it was, moreover, a very happy life. He was happy in his domestic relations, happy in his friends, happy in having always had congenial duties allotted to him. He never woke in the morning without a sense of pleasure in the new life to which he was called back from the realms of sleep; he never lay down at night without a sense of gratitude for the day that was closed. He was a man of strong religious convictions and warm religious feeling. His gratitude to God for the gift of life was constant and fervent. He knew nothing of the sting of disappointment, nothing of the corrosion of discontent. Of the prizes of life, he had had all that he desired, and more than he hoped. No man had more of the faculty of extracting happiness from common things, from the spontaneous growth of every day as it glides by. He never needed rare pleasures, or highly seasoned satisfactions, to give him enjoyment. At the age of fifty-four, his spirit was as full of morning freshness as it was at twenty. Life in itself, and for itself, was sweet to him; but none the less gently, none the less submissively, was it resigned when the summons came.

And here, in this assemblage of persons bound together by the tie of a common interest in the same pursuits; where none are strangers, but each is known to all, — may I not be permitted to allude to what I have lost in losing him? For thirty years, there has been between us the most intimate friendship, the most perfect confidence, the most unbroken sympathy. In all that time, there has not been between us a cloud as big as an infant's hand. Never did I see his face,

or hear his voice, or even the sound of his footsteps, without a glow of pleasure at the heart. He was so precious to me, that it is hard to feel that he is gone. The stunning shock of surprise has hardly yet subsided into sorrow.

From henceforth, it seems to me that the sun can never shine again as brightly on my path as it has done. But what I have had cannot be taken from me. Sharp as is the pang of separation, I should be the most ungrateful of men if I did not thank God for the inestimable gift of so true, so loving, so faithful a friend.

Dr. WALKER spoke substantially as follows:—

Mr. PRESIDENT, — I cannot hope to add any thing to what has been so justly and eloquently said; but it seems to me, that persons not connected with the College, nor resident at Cambridge, can hardly understand how great the loss occasioned by the death of President Felton is there felt to be. For a whole generation, he has been becoming more and more identified with the University, and with the society and all the institutions of the place. Though eminently a scholar, he was, as every one knows, as far removed as possible from the character and habits of a recluse. Our places of common resort, our public meetings, our very streets, without his familiar presence, are not the same; and it is a great loss to any community, in a world like this, to have the example and presence of so genial and candid and cheerful a nature suddenly withdrawn.

There is also another point on which I wish to record my testimony. While President of the College, I naturally leaned very much on Mr. Felton, as the oldest member of the Faculty, with the largest experience in discipline and instruction. In this intimate relation, I became more and more convinced that his many social qualities had the effect to hide or obscure, at least to the public view, the other and higher qualities of his mind and heart. He was fond of society; but no one was

readier than he to forget every other purpose or thought at the faintest call of duty. He was fond of mirth, and of contributing to it; but I have never met with man or woman whose wit was gentler or purer. Let me add, that, under a general freedom and gayety of manner, he cherished, and at times manifested, a most sincere reverence for sacred things.

When a person has raised himself by his own efforts to usefulness and distinction, and is still in the full enjoyment of life, we cannot see the reward of his labors and sacrifices snatched from him by what seems to us an untimely death, without a feeling of sadness and regret. But all such questionings are as unwise as they are unavailing. In this case they are also rebuked by the thought, that our friend was a very happy man, and that but few have died at any age, after having done so much to make others happy.

Dr. SPARKS expressed his unwillingness, after the full and just and eloquent tributes which had been paid to President Felton, to detain the meeting by any extended remarks of his own. He would only add his testimony, with the most entire cordiality, to the truth and fidelity of all that had been said in delineating the admirable and amiable qualities of his friend and former associate in the government of the College. No one out of the circle of Mr. Felton's immediate family could have been more deeply affected than himself by the suddenness of his death in the fulness of his powers and his usefulness, or could more profoundly sympathize with his friends of the College, of this Society, of this community, and of the republic of letters, in their grief at his loss, and their respect for his character and services.

Dr. LOTHROP, at the call of the President, offered the following remarks in relation to the death of the Hon. William Appleton:—

The resolution on your table, Mr. President, alludes to the decease of two of our associates. We have noticed the death of the scholar, whose mind, through reading and study, was richly stored with all the learning of the schools; who, in early childhood, took to books as the food of his life, and had passed almost the whole of that life in the quiet groves of the academy; and who, by his literary labors and his distinguished literary position, was widely known, and largely honored, and eminently useful. At the University, where we hoped he would have a long and brilliant career as its President; in this modern Athens, as our city has sometimes been called; far away in that old Athens of Greece, to which you, sir, have so felicitously referred, where to many his form was as familiar, and his name as honored and beloved, as among ourselves; everywhere throughout the great republic of letters,—his death is and will be felt to be a calamity; and here in this Society, this evening, we all respond most heartily to the just and beautiful tributes which gentlemen, themselves so distinguished, have paid to his memory.

But we all know, Mr. President, that the unwritten wisdom of the world far exceeds the written. There is more of talent and genius in every generation than shows itself in books or in what we emphasize as learning and scholarship. The intellectual ability requisite, and often exhibited, in various departments of practical business in life, is fully equal, if it do not surpass, that exhibited in what we designate as purely literary pursuits. For a man to raise himself to the first rank among the merchants of a great city or country,—not, I mean, simply to amass a great fortune, but to form a character, establish a reputation, reach a position from which he exercises a commanding influence in all commercial and financial affairs, his advice sought, his judgment appealed to, his wisdom relied upon in the chambers of commerce and in the councils of the cabinet,—for a man to do this requires as much talent, a degree of intellectual vigor and acumen as great, as for

another to raise himself to the first rank among scholars. Our Massachusetts Historical Society has always honored itself by calling to its ranks, and having on its roll of members, some representatives of this class of men; not because they were learned men, in the ordinary meaning of that word; not because they were particularly interested in historical pursuits or studies; but because they were men of vigorous intellect; because they were men, who, by the energy of their minds, and the activity of their lives, and the largeness of their commercial enterprises, had exerted, or were exerting, an important influence upon all those social institutions, interests, and events that enter into the composition of history, and form a part of the great reservoir from which history draws its materials.

The loss of such a man from our record of membership we are called to notice and regret this evening, in the death of the late Hon. William Appleton. The outline of his life is familiar to most of us, and corresponds to that of many of the merchants of this city who have risen to distinguished eminence and usefulness. The son of a clergyman in a small town in Worcester County, with only the education that could be furnished him by the district school and the county academy, he came to this town while yet in his teens, with no capital but his talents, his energy, his industry, his sound principles, his pure morals, and his honorable aims; and, through them, he worked his way to the distinguished commercial, social, and political position which he has so long occupied.

One of the prominent qualities exhibited in Mr. Appleton's character and career seems to have been an indomitable energy, that insisted upon achieving success, — insisted upon persevering, and keeping at work, even under that great discouragement of ill health, before which most men succumb. From his early manhood, Mr. Appleton has always been an invalid. Nearly half a century ago, he made his will, and sailed from this port on a voyage for his health, with

but the slightest possible prospect, the faintest possible hope, of returning alive. Through the good providence of God, and, without irreverence I may say it (for the influence of such mental feeling in staying the progress of disease is an admitted fact), through the indomitable determination of his own mind that he would get well, he did get well enough to return, and resume business. He lived to administer upon the estates of all the gentlemen who were named as his own executors in his original will. From the time of his return from that voyage up to a few months ago, with a body so frail and light that one almost feared sometimes that the wind would blow him away; with his health often so feeble, that it seemed sometimes as if in a few weeks his strength must utterly fail, and death claim its own; with a resolution and pluck that would have gained him every battle had he been a general; with an industry, wisdom, and intellectual astuteness, that would have placed him at the head of the bar had he been a lawyer, or at the head of the nation had he given himself exclusively to politics and statemanship,—he has persevered, done a vast amount of work, and been remarkable among our merchants for his energy, activity, and enterprise. Mr. Appleton had a vigorous, penetrating, comprehensive intellect, by which he embraced alike, and with equal ease, both the principles and details of any subject to which he gave his attention. I need scarcely add, that this intellect was under the guidance of high principles, sanctified by religious faith and culture. He was a man of unsullied integrity, of singular purity, and of large benevolence. It was these qualities that gave wisdom to his judgment in all commercial and financial matters; caused it to be honored and confided in on the Exchange, in the walks of business, and in the councils of state; and secured an almost certain success to his enterprises. It was these qualities that led to his being designated and twice elected, by the merchants and citizens of Boston, to represent them in the Congress of the United

States; a post which he filled with honor to himself, and with usefulness to his constituents and to the country. It was through these qualities that he amassed a large fortune; which was not hoarded for selfish purposes, but used in various ways for the good of others. Mr. Appleton was always a liberal giver, both in private charities and to public institutions and interests; but always, of course, making his own selections, according to his own judgment, and, where that judgment was adverse, expressing it with a refusal so prompt and decisive, that his character may have been misunderstood and misinterpreted sometimes by those not intimately acquainted with him. But he was faithful to his trusts, and gave largely from large means.

Mr. President, the two deaths which we notice this evening awaken different emotions. President Felton was in the very vigor of his manhood, in the full maturity of his intellectual and moral powers, with his natural strength unabated, with a growing fame, and an increasing usefulness in an official position for which he had a rare combination of qualities. His death is the extinction of many and grand hopes, and it costs us an effort to bow to the inscrutable decrees of Providence. Mr. Appleton had passed beyond the allotted term of human life, and was sinking into the vale of years. He had accomplished the purposes of this earthly pilgrimage; and we acquiesce easily in the wisdom and the mercy that released him. His life, so full of energy, activity, usefulness, benevolence, impregnated and pervaded throughout by the spirit of a humble faith in our Lord Jesus Christ, closed in sincerity and peace, leaving behind it that memory of the just which is blessed, while the immortal spirit passed on to a holier rest and better happiness than can be found on earth.

I see around me, sir, several gentlemen more nearly his contemporaries, and more competent to speak of Mr. Appleton, than I am. I hope they will do so. At your request, and

because of late years, through some associations, I have been thrown into somewhat intimate relations with him, I have assumed the privilege of paying this tribute to his memory.

Colonel ASPINWALL spoke substantially as follows:—

In rising to comply with a rather sudden call to support the resolutions now before the meeting, I am reminded, that, within the year, the honored name of Appleton has, in two instances, been struck from the list of our living associates.

When our lamented colleague, the Hon. Nathan Appleton, was taken from us, I was prevented, by imperative circumstances, from uniting in any public manifestation of sorrow for the great loss sustained by the whole community, and particularly by our own Society, in the death of an individual so eminent for his public and private virtues, as a merchant and a legislator, as a promoter of our national industry and commerce, and as a political economist.

Now, another of the name, the Hon. William Appleton, has also terminated his earthly career; and perhaps it is not entirely out of place that a surviving colleague, whose years have already passed the ordinary limits of life, should say a few words in honor of one whose distinguished peculiarity it was always to feel, that, "in the midst of life, we are in death." This predominating feeling, arising from a feeble and precarious condition of health, gave a character to his whole conduct. It kept him in constant preparation for the hour of death and the day of judgment. It taught him the insignificance of the concerns of this brief existence, in comparison with those of eternity. It made him pre-eminently a man of truth, integrity, justice, and benevolence.

It has been said that he was passionately devoted to the accumulation of wealth. The fact might have been plausibly questioned or denied; but he was himself the first to avow it. The extent and multiplicity of his charities and benefac-

tions show very plainly, that, whatever may have been the intensity of his love of wealth, it was always kept in subjection to his regard for the interests of his fellow-creatures, and his reverence for the will of his heavenly Father.

In this assembly, where the character and merits of Mr. Appleton in his domestic and public relations are well known, as they are throughout the whole community, it is not my purpose to say any thing of his excellences as a citizen, a merchant, or a legislator. All these have been already admirably portrayed by the reverend member who preceded me here, and in the eulogies delivered elsewhere by two of our ablest and most eloquent associates.

But having, for many years, occupied an official station in London, which brought me into constant familiarity with our commercial interests and the individuals connected with them, I would mention, that Mr. Appleton's character was well known in Europe, and as highly estimated there as it is here. In many a commercial crisis that occurred during the term of my residence abroad, I know that his opinion was sought for and confidently relied on by many friends of our country, not only in regard to matters of commerce and finance, but also upon political subjects of grave importance.

Soon after my return to this country, I had the opportunity of witnessing, at Washington, the marked respect and regard paid him, even by his political adversaries; and of learning, also, that he was considered as almost the guide and teacher of the Committee of Ways and Means, to which he belonged.

In later years, it has been my good fortune to cultivate and enjoy his acquaintance, and to become more conversant with his good deeds and high principles. I have ever found him a friend, a good man, and one who did not fear to die.

The resolution was then unanimously adopted.

The President said he would take this opportunity to present to the Society two letters which he had found among the papers of Governor Bowdoin, and which contained interesting discussions of some of the questions which most occupied the public attention just before the adoption of the Constitution of the United States. The first of them was dated at Annapolis during one of the sessions of the old Confederation Congress. The initials by which it was signed were undoubtedly those of Samuel Osgood, a member of that Congress, and afterwards appointed Postmaster-General of the United States by Washington. The other letter was from John Bacon, at one time a minister of the Old South Church in Boston, and afterwards a member both of the State and National Legislatures. Both of these letters touched upon topics which were of interest at the present day; but their principal value was in unveiling something of the history of the ante-constitutional period.

The letters were referred to the Publishing Committee.

Hon. Samuel Osgood to Hon. S. Higginson.

ANNAPOLIS, Feb. 2, 1784.

DEAR SIR,—Your favor of 11th January I had the pleasure of receiving this day. I am happy to find that you was not fatigued with the long detail I gave you of the doings of Congress.

I have no copy thereof, and cannot say precisely how my opinion stands therein. But I did not suppose that room was left for the following observation of yours: "Perhaps you think that influence not a baneful one: if so, you will not wish to destroy it." If I have been inexplicit heretofore, I will be explicit in this; and, if my opinion does not exactly coincide with yours, it will not arise from any sinister views in me. I wish for nothing but health and competence: the first the public cannot give; and the second I had rather obtain in any other honest way than from the public. You say you have not

the same apprehensions from the decisions of Congress that I express ; that they appear to you to be founded in good policy. The reason you give is, that the alternate removal of Congress must make it difficult to establish the same kind of system ; the places pitched upon being such, numbers will be wanting, though all should be devoted : and that it is also probable that it will operate an important resignation. I shall venture an opinion partly in opposition to this ; which is, that the changing of the members of Congress will, generally speaking, tend more to destroy an undue influence than an alternate removal : and, let Congress have sat where they might this year, it would have been a very different body from the last. This I find in fact ; and you may turn your eye upon the list of last year, and you will find the principal intriguers, who, from long experience, had acquired and established a systematical adroitness at manœuvring, are by the Confederation ineligible this year, as the States have construed it, by omitting to choose them. Let those men have been placed in a situation excluded from all the world besides themselves, they would have carried with them the same views of government, and the same spirit of intrigue ; and what would prevent their exercising it, but a respectable majority of honest and independent men ? I would not have it understood by this, that I am indifferent as to the place where Congress shall sit ; for I am fully in opinion, that either Boston, New York, Philadelphia, or any other populous city, would be an improper place for Congress to sit in, because, in all such places, there are plentiful materials for setting in motion a thousand hidden and secret springs, which, carefully arranged and combined, will produce astonishing effects. I only mean to suggest the difference between men already formed, and men to be formed for certain purposes. Here I agree with you, that cities are not calculated to form the best political dispositions ; but this is not much to the purpose now. Congress having first fixed upon a single place, that was not a populous one, for the constant residence of Congress, the question then is, whether it was political and wise to fix upon another place in similar situation, and agree to an alternate residence. There are, in my mind, but two reasons of consequence that can be urged in favor of it. The one is, the accommodating the several parts of the United States, principally in point of travelling : the other is founded in the probable tendency it may have to render less energetic an undue influence. Multiply the places of the residence of Congress, and the obstacles to intrigue are proportionably multiplied.

That this will be found true in practice, is a mere matter of opinion ; but that it would proportionably multiply the difficulties and delays in transacting the business of the United States, is hardly matter of opinion. I agree that the first reason has weight : but it is balanced by an invincible objection ; which is, that the delegates from the eastward cannot live so far southward as Georgetown. The summers there will either destroy or debilitate our best constitutions. Place health in one scale, and travelling in the other, and how light will the latter appear in comparison with the former ! I confess I do not find these reasons, simple and unconnected, of sufficient weight in my mind to determine positively that the second resolution was founded in wisdom : and I therefore, if I mistake not, gave to you another reason in vindication of my voting for it ; which was, to prevent our being carried to Philadelphia. Had it not been for this resolution, we should have unavoidably centred there. In this point of view, was it wise or unwise ? My vote discovers my opinion, but not my reason for it.

I am not sure it will bring about the resignation you refer to ; and, if it does not, we are in more danger of being sported with where we can have little or no knowledge of *his* transactions, as is the case with us now, than if we were to direct his constant attendance in the place where Congress shall sit. To this, objections are made ; such as, the greater his distance, the less will be his influence. But that office must certainly be where Congress may be. With respect to this office, I apprehend you doubt whether our sentiments are the same. I will tell you very freely, that I am clearly in opinion, that, in mere money transactions, he has saved the United States a very large sum. I am of this sentiment, because a comparison of expenditures shows, that, since he has been in office, the expenditures have not amounted, annually, to half so much as they did before. I am also of opinion, that much more regularity has been introduced in keeping the accounts than ever existed before. This is a matter, in my mind, of very great importance ; and, without the strictest attention to it, the several States ought not to trust Congress with a single farthing of their money. I lay it down as a good general maxim, that, when a person is to be attacked, it is wise not to endeavor to depreciate his real merit ; because this puts into his hands an advantage. If he can clearly exculpate himself in part, it renders that which is really true liable to suspicion, and consequently less efficacious. If you suppose that person has rendered

the public no valuable services, I acknowledge there is a very considerable difference in our sentiments. If you suppose that he may have rendered valuable services, but that his notions of government, of finance, and of commerce, are incompatible with liberty, we shall not differ. I think, therefore, the fort to be raised against him ought to stand on this ground, if, in urging his dismissal, or rather a new arrangement of the office, it shall become necessary to be personal. But I hope it will be generally agreed, that, if it was necessary to create an omnipotent financier in 1781, that necessity does not exist now. I am clearly against the office in its present form; and I am not sure any form will do.

Your sentiments with respect to the Southern States are very candid and charitable. Charity is an amiable virtue; and, in this case, it covers a multitude of sins. How far their apprehensions of being fixed permanently at Trenton may operate, I know not: but this I am sure of, that they do not mean to have two federal towns; and I venture to predict that there never will be two. They will endeavor to have the resolutions of Congress so altered as to have one permanent place of residence in some part of Maryland or Virginia: and, if they cannot effect this, they can another point; which will be, to fix Congress again in Philadelphia. Here, probably, will be the issue of federal towns. I cannot find the shadow of a reason to alter my former opinion with respect to their aristocratical principles; and, if they vary from these, it will be monarchical ones. It is impossible, in the nature of things, that their governments should be democratic. It is also impossible that there should be a coincidence of political views in some matters of very great importance to the Eastern States; for those who have appeared to be honest Republicans—of which number I have had the misfortune to find not more than two or three—have uniformly depreciated our exertions, and denied to us that justice which is clearly due. Time only can discover which had the most reason for his opinion. I sincerely wish the event may be as happy and favorable as you expect it will. The present members of Congress wear a different aspect from those of the last year; but we have not had a fair opportunity to discover their political views.

You ask what we have done to forward our commercial arrangements. I answer, We have done nothing to forward them, nor scarcely any thing else. Since we have been at Annapolis, we have had nine States, but about six or seven days. At present, we have

no prospect of a sufficient representation to transact the business which is necessary to be done previous to the adjournment of Congress. There are but a few matters that keep Congress together, and these require the assent of nine States. It is cruel to the last degree in those States, which, neglecting to keep up their representation, oblige us to waste our time, and spend the money of our constituents, without being able to render them services equivalent. But the fault lies not with us.

I am persuaded that our commerce is of the highest importance to us as a nation; that the closest attention must be paid to our commercial arrangements; and until they are placed upon the fair and liberal footing of mutual reciprocity, and until they are extended to all nations that will afford us an advantageous market for our exports, or that will furnish us, upon the best terms, with articles for our own consumption, our commerce will be too limited and unproductive. It is not extraordinary that there should be a desire, and even attempts, to limit our commercial connections; but it will be strange if we are so blind and inattentive to our own interest as to suffer ourselves to be caught in the snare. I do not recollect any branches of trade that are of so much importance to our State as the whale and cod fishery and the carrying-trade. These several branches, at present, do not stand upon a sure foundation. It is true, we have a right to take fish by the treaty; but that does not point out what we are to do with them. The benefit that might result from this part of the treaty depends very much upon the liberal sentiments that Great Britain shall adopt when she enters into a commercial treaty with us. You do not want to be informed, that many of our own countrymen do not only not wish, but will use their endeavors, that no such connection shall ever be formed.

Upon these three branches of trade, I conceive, the future wealth and prosperity of our State entirely depend, and also the marine power of the United States: the last I am not anxious about in any other view than as the result of the former. Bounties and duties may be so applied as to destroy, in a great measure, our fisheries. These and the carrying-trade depend upon treaties yet to be made; and would it not be astonishing, if we should, for a great while to come, lose the advantages that might result therefrom, for the want of nine States in Congress? On these points, Southern and Eastern republicans will think very differently.

You observe, that if the impost should be given to Congress, yet

the collateral funds will not be given ; that the warmest advocates for the impost voted for it, because they knew that their arguments were not true in fact. They knew that they then voted away other people's money ; but, when the question shall be to vote away their own money, they will disagree to it : that, consequently, Congress will not have adequate funds.

You farther observe, that a great part of the opposition to the impost arises from a want of confidence in the person who is at the head of the treasury, — from a belief that his plans are artfully laid to subvert the liberties of the people ; that the opposition to other funds necessary to defray the interest of the public debt is owing to the want of honesty, and that nothing but the imminent danger of a much greater evil than that of parting with their money will induce the people to be honest ; that not a single government in the Union has sufficient energy to enforce the collection of their taxes ; that this is an evil which will, in the end, produce its own remedy ; that the States are only manœuvring to rid themselves of the burthen of paying taxes ; that no system can be devised which would be satisfactory to all ; that the true system is contained in the Confederation, or rather the principles of a proper system ; that you are persuaded, that were the impost to be collected, and committed to the present administration, it would be perverted to the most dangerous purposes, and that this kind of revenue renders a fair examination into mal-practices impracticable ; and that Congress should persevere till they have ascertained an indisputable rule for apportioning the quotas, and then assign them to the several States, with clear and just estimates ; and, if then the taxes are not collected, the fault will not lay with Congress, but the States who may be delinquent.

If you carry your objections against an impost so far as to oppose it in every shape, I cannot agree in sentiment with you ; but I will freely acknowledge, that, the more I reflect upon the plan proposed by Congress, the more I dislike it. I apprehend the difficulties in collecting of it would be insurmountable. The expense will be unreasonably great. A fair examination of the proceeds will be beyond the reach of the public. It is uncertain what system Congress will adopt with respect to the treasury department ; but it is, in its nature, a department that ought to have the most vigilant eye exercised over it. It is, at best, a very dangerous affair to the liberties of the people. But I cannot think there can be a well-founded objection against a State impost, collected by officers appointed by, and accountable

only to, the State, and the proceeds to be placed to the credit of the State. I am persuaded that an impost will not be safe in any other hands. In that way, it would be as safe to trust Congress with money so collected as with that which should be collected in any other way.

You do not seem to be against a Continental chest, but against the person who is at the head of it, and the system under which he acts : but is it not better to go a step farther, and annihilate the Continental treasury ; at least, so far as respects American debts that are ascertained and which must be funded ? Will it not simplify the business very much to have the public debt divided among the several States, after the rule of apportioning it shall be agreed upon ? This would afford every State an opportunity to take its own way and time to discharge its proportion thereof. It would secure us from another danger which we shall otherwise be perpetually exposed to ; for, in the hands of the Continent, the debt will never be discharged. It is part of a system to have a perpetual public debt ; and I conceive a standing debt, well funded, to be more dangerous than a standing army. The first will be the parent of the latter. In this case, by dividing, we live ; by uniting, we run a very great risk of losing all that we ought to hold dear. You complain of the present arrangement and management of the treasury. It is possible that it may be better formed and directed ; but there is a very great probability that it will not. The eyes of the proposed Cincinnati are fixed, and pointedly fixed, on this department. Funds are now the object ; and, when Continental funds shall be obtained, that department will draw the attention of all the Cincinnati, of all the aristocracy, of all the unprincipled and subtle intriguers of America ; and their power will be an overmatch for the honest and independent. The children of this world are wiser than the children of light. The honest man is only on the defensive ; and he may flatter himself of security, and indulge repose : but dishonest subtlety is always on the offensive, always alert ; and a failure only gives birth to another attempt. The language already seems to be this : " In great attempts, it's glorious even to fail." I do not express these sentiments, as being only afraid that the event may justify them. I believe, if funds are obtained, the issue of them will be fatal to the liberties of this country, and that it would be unnatural to expect a more favorable issue.

I am sensible, objections of weight are made against the immediate division of the public debt ; such as, that the States which have

little unlocated territory will not increase in wealth, but that the States which have a great quantity thereof will every year grow more important: therefore delaying the division will give the one a less, and the other a greater, proportion of the debt. This is a saving consideration, but it is not a safe one; and in a case where their future safety, if not existence, is concerned, it ought to have no weight.

I think we must have a public chest to discharge the foreign debt, which ought to be annihilated as soon as possible. After this, very little money will be wanted by Congress. Their annual expenses will be reduced very low. The sum will be so trifling, that no great danger can arise from a misapplication.

I think it was a great oversight in the Confederation, that of establishing a Continental treasury; and I expect our liberties will receive the first, and probably the last, wound through this dangerous machine. But, as you observe, there is no probability that it will receive much from the States very soon; there being no probability that the recommendations of Congress will be complied with seasonably (I seriously believe they never will) to discharge the annual interest. Congress have appointed a grand committee to bring in an estimate of the interest due for one year, and propose making a requisition upon the States for the amount. Congress must do this from year to year, because they will have no other mode to discharge it: therefore the business will go on in the way you wish it should. It is true, the rule of appointment is not ascertained: probably the one adopted last spring will be adhered to by Congress.

The head officer of the treasury has informed Congress this week, by letter, that he shall leave his office in May next. This will remove some of your difficulties; but, I must own, it will not remove all mine. The treasury, the Cincinnati, and other public creditors, with all their concomitants, are somehow or other, in my mind, inseparably connected. We have now three or four of the Cincinnati, members of Congress on the floor. They are not honorary, but real, members of that institution. A short time will undoubtedly enlarge the number in Congress. I have heard some of the officers say, "Fulfil your promises, pay us honestly, and the Cincinnati will be a harmless body." This seems to me to have a plain meaning. If the intention of this institution is to connect throughout the continent a large and important body of men to watch over the doings of Congress or of the State legislatures, if there is a real necessity for this, let the last be dissolved, and let the first take the helm. I cannot

admit the idea, that the army will not be honorably paid. I hope it will be a free act of the people; but, if a society is established to extort it from them, it is, at least, casting a very gloomy shade over the virtue of the people. I cannot omit here comparing your sentiments with those of the Cincinnati. There seems to be a perfect coincidence,—they appear to be doubtful of public faith. You say, “The people will not pay their taxes. They must see and feel that this, which they consider as a great evil, must be submitted to, in order to avert another which they esteem a much greater.” I do not wish to suggest that the Cincinnati will become this “greater evil:” but the thing is not impossible; and, upon your principles, the measure seems to be justifiable. It is certainly right to provide a remedy against a certain evil.

Permit me to introduce a new subject for your consideration. I am apprehensive that the plan for settling the accounts of the several States with the Continent will not answer the purpose. I will, therefore, suggest the following: that the debts actually contracted since the commencement of the late war, and now due from the several States in their separate capacity, shall be made a Continental charge. I will not undertake to prove that the proposition is equitable; but if no other mode can be adopted, if the plan which is now carrying into execution is attended with insurmountable difficulties, we must submit to it as the least of evils.

Commissioners are appointed for the several States, finally to settle and adjust their accounts with the Continent. They are to govern themselves by the resolutions of Congress; which, from the nature of the business, can never be otherwise than inexplicit. The States have all of them undoubtedly expended large sums of money, which they did with a view of promoting the common cause, without any special resolution of Congress to cover the same. Yet, relying on the justice of that body, they confidently expect to be credited therefor; and, if they should be disappointed in a matter so tender (which will certainly be the case in many instances), it will deeply wound the authority of Congress. The orders to the commissioners must be general or particular: if general and discretionary, a State may be subjected to the will and pleasure of a commissioner,—which will never be the case; and if particular, proper vouchers, with explicit resolutions of Congress, must be the evidence of the validity of all charges.

That all the States have kept their accounts very irregularly, and that, in numberless instances, vouchers necessary to support charges will be wanting, is not to be doubted. If a remedy is not given in such cases, injustice will be done : if it is afforded, every particular case must be brought before Congress or the commissioner, or a discretionary power lodged somewhere must be the mode. I apprehend the first to be impracticable ; and the other, at least, very objectionable.

It is a very doubtful matter whether the commissioners will be able in many years to close the accounts. There is no great reason why they should be in a hurry about it. If every account is to be fairly transcribed, the work in detail must be immensely voluminous. The mere expense of having the accounts adjusted may be almost as great an evil as to let them remain unliquidated.

With respect to the proposition, it must be supposed that the legislatures of the several States have exercised a proper degree of caution in contracting debts. No good reason can be given why they should involve themselves unnecessarily. Will it not naturally excite much animosity and ill-will for Congress to call in question their wisdom and prudence, more especially for what they did after the commencement of the war until the Confederation was ratified ? The contest during that period depended, in a great measure, upon their patriotism and exertions. That they may have erred in judgment, that they may have conducted without regularity and system, is not extraordinary. It is fortunate that all matters have terminated successfully ; and due credit is to be given them for it. Will not the policy be extremely narrow and contracted if Congress should erect themselves into a tribunal to sit in judgment upon the several legislatures, who, if they submit, will not do it in the most cordial manner ?

It is not difficult to form an estimate of the difference of the two ways, with respect to harmony and satisfaction ; but, as it may respect the interest of the States, it must be mere matter of opinion. It may be observed, that, during the period of time referred to, the expenditures of the several States must have been principally for public purposes, save those for the support of civil government ; which is not a matter of much consequence. The civil list of the several States, from what I can collect, is not very different as to the whole amount. If it is agreed that the remaining part of the States' debts was contracted for supporting the general cause, the inquiry will be,

whether they have assessed, and collected from their citizens, sums of money in proportion to their abilities as States ; and, if not, how this inequality will operate. Suppose two States of equal abilities ; the one had collected an hundred pounds from its citizens, the other had contracted a debt to the same amount : it is plain that the proposition would make a difference of an hundred pounds ; but it is impossible that the reality should operate so great an inequality, because there is no State but what has collected considerable sums of money from its citizens. There is one State in the Union which is said to be in debt twelve millions of dollars, specie ; and that a great part of this debt arose from the issuing of what were called specie certificates ; which, in the first instance, were passed at about eighty per cent discount, compared with specie. The delegates of the State give the first as a fact ; but they do not agree to the last.

The United States can never again be in circumstances similar to those previous to the ratification of the Confederation. They now hope to be a happy, peaceable, and respectable nation to the latest ages. That this may really be the case, much liberality of sentiment must be exercised among those that are truly republican.

Let us contrast the possible inequality that might take place from giving full credit to the wisdom and prudence of the several sovereign legislatures for five or six years only, with the unavoidable discord that must ensue if it is not done ; and let a deliberate opinion be formed thereupon : and will it not be in favor of submitting to that possible inequality, which, in all probability, can never again exist under the regular systems of government that are now established ? If the United States should ever be engaged in a war again, their past experience will probably teach them to adopt, in many instances, very different systems.

But in the present situation of affairs, considering that there are six States in the Union whose private debts are a trifle compared with some others ; considering that nine States will be necessary to pass to the credit of any State a charge not expressly authorized by the resolutions of Congress ; that the towns damaged and destroyed, negroes carried off, tobacco plundered and burnt, the places laid waste and in possession of the enemy, — these and numberless other charges will be made, in case we go on to liquidate upon the present plan. Considering these things, does it seem probable that those six States will ever consent to any thing more than what is expressly authorized already by the resolutions of Congress ?

In case the proposition should be agreed to, what is to be done with the securities? Are funds to be given to Congress to discharge them? This would be neither necessary nor admissible. The amount of the States' debts, with that of the United States, might be divided among the respective States. When the quotas shall be ascertained, the amount of the State debt deducted (if less) from the quota will leave the balance which ought to be paid into the Continental chest.

I am strongly induced to believe that this plan would tend to prevent much discord and animosity. It is not probable that it would operate equal justice; neither do I suppose the present will. What a field will be opened, if the ravages occasioned by the enemy are to be liquidated! Yet this is set on foot by the superintendent of finance, probably to balance the claims of some States; and will it not have this effect?

The proposition, if agreed to, would very speedily ease the United States of nearly forty thousand dollars per annum, which they now pay to commissioners and their clerks for settling the accounts of the several States with the Continent; and which they must continue to pay many years to come, upon the present mode of doing the business.

Several things would be necessary to be done, upon the new plan: such as the adjusting of the requisitions of Congress, so far as they have actually been discharged by the States; the calling-in of the old paper-money; and the making of a proper allowance to the States which have had men in the field over and above their proportion, compared with other States.

This is a matter of exceeding great importance. I do not pretend to give the above sentiments as my decided opinion. Whether the accounts will ever be brought to a close in this or any other way, is a matter, in my mind, very uncertain.

You will pardon me for being so very prolix, as it is the last letter I ever expect to write you in an official capacity, or rather as a member of Congress writing to his friend.

I am very sincerely yours, S. O.

N.B.—My information respecting the purport of the financier's letter was wrong. I did not hear it read; but, upon particular inquiry, find he only suggests an intention of leaving his office. The time when is not mentioned.

THE HON. S. HIGGINSON, Esq.

Hon. John Bacon to Hon. Samuel Phillips.

STOCKBRIDGE, Sept. 22, 1785.

MY DEAR SIR, — The great revolution of sentiment in the General Court, relative to the alteration of the eighth article of Confederation, would lead me to suppose some new light had been thrown on that subject since I had the honor of a seat in the House of Representatives. But, after conversing with some of the principal members who were in favor of the act for altering that article, I do not find that they have any new arguments to offer in favor of it. For my own part, I cannot but consider this act as bearing an unfavorable aspect on the interest of the New-England States in general, more especially of this Commonwealth. From a personal acquaintance with several of the Southern and Eastern States, I have long since been convinced, and have often made the observation, — even before the *United States*, as such, had an existence, — that it is much easier acquiring property in the Southern than it is in the Eastern States. I am fully convinced, that, with the same degree of industry and economy that is practised by our New-England farmers in general in order to obtain a bare comfortable support, a man, in almost any of the Southern States, would, in the course of a few years, acquire a considerable fortune. In this opinion, which I originally formed from personal observation, I have since been more fully confirmed by almost every consideration that has been urged as well *for as against* the alteration aforesaid. I have, indeed, often wondered that gentlemen have not been convinced of the unequal burden that must fall on the New-England States from the operation of the article in question, even by their own arguments in favor of it.

It has been frequently urged, *that the white people in the Southern States perform very little labor; that a negro there will not perform more than one-half or two-thirds as much as a white man will with us; that, therefore, they ought not to pay towards the public expense in equal proportion with us, according to their number of inhabitants.* But will it not be conceded on all hands, that their exports of produce from their lands are, in proportion to their number of inhabitants (even with this small proportion of labor), much greater than ours? And to what can this be attributed but to the greater fertility of their soil, together with its easy cultivation? It will, perhaps, be said, *They do not consume so great a quantity of provisions and clothing, in proportion to their number of inhabitants, as we do in New England.* Admitting

this to be the case, it may well be inquired, To what can this difference be ascribed but to the greater mildness of their climate? and does not this add to the greater relative value of their estates? Will it be urged that *the negroes in the Southern States are kept extremely low*? and will this more than counterbalance all that ease, affluence, and luxury in which gentlemen there universally live? The negroes in the Southern States are, undoubtedly, kept as well as their masters judge either their interest requires or humanity dictates. If the apportionment of the public expense was out of the question, I conceive those gentlemen would highly resent any intimation of the contrary.

In the course of debates, both public and private, on this important question, I have observed an unaccountable disposition in some gentlemen to augment the advantages we enjoy, and to extenuate those enjoyed by the citizens of the Southern States. It is well for us to entertain a good opinion of our own country; but it is neither proper nor expedient, as I conceive, to proclaim this good opinion to the disadvantage and ruin of our country.

It is frequently urged, *that we enjoy a vast advantage from the fishery, which ought to be taken into consideration in the apportionment of the public expense.*

But is not the fishery as free to the Southern States as it is to us? and, if this branch of business is so much more lucrative than that in which they are engaged, what can be the reason that they do not improve it? Their distance is not so great as to be an insuperable obstacle in their way. The truth is, such is their soil, that they find it more to their advantage to cultivate their lands. Such is our climate and the sterility of our soil, that we are driven to the prosecution of many branches of business which it is their interest entirely to neglect. It is worthy of consideration, whether (in case we should, in future, meet with no greater embarrassments in our fishery than we have done heretofore) our number of inhabitants will not be augmented beyond theirs (other circumstances being equal), in some degree of proportion, at least, to that in which the fishery is prosecuted by us beyond what it is by them; and, should this be the case, our proportion of the public expense, on the principles of the alteration, will be increased in a proportion far greater than that of our number of inhabitants. And is it to be expected that our wealth arising from the fishery will be increased in a like proportion? When the fishery is in a flourishing situation, it employs a great

number of men. These men are generally poor: they have wives, and as many children, perhaps, as any set of men whatever, in proportion to their number. And for three of these poor persons we are to pay as much as the Southern States pay for five of their slaves. The slaves in the Southern States are, to the citizens there, substantial wealth; and, by sending them to the West Indies, they can if they please, at any time, convert them into solid money. This they are not disposed to do, but, on the contrary, to increase their number; and the reason is, they esteem them more profitable than money, white servants, or tenants. And surely, from our acquaintance with them, we have no reason to scruple their sagacity in matters of a pecuniary nature.

The impracticability of obtaining a Continental valuation on the principles of the eighth article is frequently urged as a reason for the alteration. I really never could conceive so great difficulty in obtaining the relative value of the lands in the several States as there is in obtaining the relative value of the property of the several towns in this Commonwealth. I believe, that by having recourse to the land-offices which are kept in the Southern States, with other ordinary methods, we should stand quite as good a chance to obtain an accurate return of the *quantity* of lands that have been granted to, or surveyed for, any person, as we do to obtain an accurate return of the number of their inhabitants. The general quality of their lands may be determined, to a tolerable degree of exactness, from the number of persons subsisting on them, the particular kinds of produce, and from ascertaining, as near as may be, the quantity of each kind exported.

I can scarcely meet with a gentleman, even among those who are the most sanguine for the alteration, who argues from any other principles than what he has heard from one and another gentleman who belongs to some one of the Southern States; or, at most, from some other gentleman who has occasionally travelled through that country: and, from such information, they conclude *the lands there must be extremely barren and poor*. This information, which is obtained from Southern gentlemen, is like that which our General Court obtain of the quality of the land in a particular town, from its representative, at the time of taking a valuation: but with this difference, that, in the former case, the temptation to give a low idea of the quality of the lands is much greater than in the latter; and the prospect of any misrepresentation being detected (until it has

had its designed effect) proportionably less, as one place is at a greater distance and more out of view than the other. *But Southern gentlemen*, it is said, *all agree in giving the same representation of the circumstances of their country.* And do not our representatives all agree in giving nearly the same representation of their respective towns? I mean not to insinuate that there is, in either case, any extraordinary degree of dishonesty. It is no more than what is incident to human nature. Every one feels most sensibly his own burden; and it is considered as a necessary piece of self-defence.

I believe you have heard me observe, that gentlemen, from riding through the Southern States, obtain but a very inadequate idea of the wealth of that country. People there, especially those who are wealthy, very rarely settle on the public roads. Hence it is, that the wealth of that country is not exposed to the view of a traveller, as it is with us. And, for this different mode of settling, there is a natural reason. That country is level, and intersected in all parts by rivers and creeks, most of which are navigable. The public roads are laid on the light, dry lands, so as to head those waters. The wealthy inhabitants live on plantations which lie off from the public roads, — on those rich necks of land with which that country abounds. In the whole circle of my acquaintance, south of the State of Delaware, I can scarcely recollect a single instance of a gentleman, living on any public road, who is considered there as being possessed of a large estate. It is agreeable to the *taste* of Southern gentlemen to live off from the public roads. This taste is formed from necessity, or at least from a high degree of convenience. If the lands in the Southern States are indeed barren and poor, whence is it that Southern gentlemen are enabled to live and appear in so great affluence, splendor, and parade as most of them do? Whence are those large quantities of tobacco, Indian corn, rice, indigo, flour, &c., &c., which are annually exported from those States? From the nature of the produce, had we never heard any thing of the country, we might certainly infer the luxuriance of the soil.

It is urged by the advocates for the alteration, *that there are a vast number of people in the Southern States that are extremely poor.* This representation, I am fully convinced, is greatly exaggerated. That, in the Southern States, there is a much greater degree of inequality, and that the difference between those who are there called poor and those who are called rich is much greater than it is with us, I will readily admit; but it must be remembered that a man, who, in New

England, is considered as being in tolerably good circumstances, would, in any of the Southern States, be ranked with the poor.

I think it is rational to suppose, what I believe experience has always taught, that it is easiest raising soldiers in those places where they most abound with people that are extremely poor. If this is found to be a fact, how can it be accounted for, that, during the late war, the Southern States furnished so small a proportion of private soldiers for the Continental Army, while they had, at the same time, their full quotas of officers? And I query whether their officers did not appear to be, in general, men of fortune. If they have such vast numbers of people that are extremely poor, and but a small number that are rich, it would, I conceive, be natural to expect there would be but little difficulty in raising privates, and that the greatest difficulty would be to obtain men of figure for officers. It is not to be imagined, that, in the Southern States, there are a greater proportion of men of the first fortunes there, who are disposed to exchange ease and affluence for the dangers and hardships of a camp, than there are with us.

I was not long since conversing with one of our honorable delegates on this subject, who was then, and I suppose still continues to be, strongly in favor of the alteration. I queried with him, if the lands in the Southern States were so poor, as he alleged, compared with ours, what could be the reason that no persons ever remove from thence to engage in the cultivation of lands in New England? His answer was, "We populate so fast in this cold northern climate, that we are ready to eat up one another, and leave no room for them." This, which I take to be, in some measure, a rational and just, I also take to be a full, answer to almost every thing I have ever heard in favor of the alteration. I have no doubt, but, compared with the Southern States, we in this State particularly shall always increase and abound in the number of our inhabitants much more than in wealth. If we compare the several towns in this Commonwealth, or attend to the various kingdoms of the world in all ages of it, and reason from analogy, I believe we shall find the same consequence to follow which I draw from the foregoing principles and facts. I think it has not been found that the most opulent families, towns, states, or kingdoms, have generally been the most prolific.

But it is the negroes in the Southern States that are chiefly complained of as the principal cause of their poverty, and that which renders them unable to pay towards the public expense in an equal

proportion to the number of their inhabitants. Although I have already been tedious, I will take the liberty to propose a case, which may serve, in some measure, to obviate this objection. I will suppose a town in this Commonwealth to contain two hundred families. These families, one with another, consist of six persons each; which, in the whole, amount to twelve hundred. On this town, there is laid an annual tax of five hundred pounds. Is not this as great a tax as our towns in general, consisting of the number here proposed, can bear, without being very sensibly felt by far the greater part of the inhabitants?

I will now suppose twenty plantations in one of the Southern States, containing each ten white persons and fifty negroes; which also amount to twelve hundred. On these twenty plantations, there is also laid a tax of five hundred pounds; which will give the sum of twenty-five pounds for each plantation to pay containing ten white persons and fifty negroes. Can it be supposed that a tax thus laid would bear harder on the plantations than it would on the town? I think not; but it is to be observed, that the case, as here stated, goes upon the supposition, that those States which have slaves, and those which have none, are to pay in an equal proportion to the number of their inhabitants. Let the supposed tax be adjusted agreeably to the alteration in question, and it will make a material difference in favor of the plantations. In this case, I think, the twenty plantations will pay the sum of £332. 7s. 6d. nearly, where the town will pay the sum of £500. On these principles, each plantation will pay a sum not exceeding £16. 12s. 6d. The hire of two negroes only, clear of all expense of victualling, clothing, and taxes, will more than pay this sum. Although I verily believe, that, was the public expense to be borne by the several States in equal proportions to the number of their inhabitants respectively, the Southern States would, in this case, have the advantage, yet, as this would be a more simple mode of apportionment, we might, perhaps, without suffering any very sensible injury, consent to such an alteration. This, I conceive, is the utmost length we can go, without making a sacrifice of ourselves.

I am told that some of the Southern States have not yet agreed to the recommendation of Congress for the alteration. I strongly suspect that it is a concerted plan among those States, that some of them should stand out till all the Eastern States have come into it; and that, whenever this is done, they will immediately close with the recommendation.

In making so important an alteration, we ought, I conceive, at least, to act understandingly and with deliberation, and not to take a leap in the dark. We ought to be as well assured as the nature of the case will admit of that we are not acting against our own interest. When the alteration is once made, it will remain for ever. Some one State, at least, will undoubtedly find it for their particular advantage; and, as it cannot be again altered without the consent of all the States, that State which shall thus find it for their particular advantage will not consent to any other alteration which may be less to their advantage.

I suspect my letter has been so tedious, that, by this time, you repent of having done me the honor of inviting me to a correspondence with you. I confess, as a citizen of this Commonwealth, I feel myself interested in this subject. This is the only apology I can make for the undue length of my letter. I wish to be favored with your sentiments on this subject. Is the act for the alteration so circumstanced that it cannot be repealed? If not, gentlemen who view the matter in the light which I do will think it to be a case which admits of no delay.

You will please to present my best regards to Mrs. Phillips, Mr. French and lady; and believe me to be, with the highest esteem,

Your most obedient, humble servant,

J. BACON.

Hon. Mr. PHILLIPS.

P.S. — Notwithstanding the tedious length of the foregoing letter, I still feel an inclination to add thereto. Perhaps, after all that I have written, I have not hit on the grand reason which induced the Legislature to comply with the recommendation of Congress. I have lately been informed, that, at the time of passing the act, it was conceded in the House that the terms were unequal; and that the principal reason offered in favor of it was, *that they were the best terms the Southern gentlemen could be induced to comply with.* But will they comply with the Confederation as it now stands? If not, what security can we have that they will comply with any alteration that can be made? Or are we to be dictated solely by the Southern States, and to take just such a proportion of the public burden upon us as they may see fit, from time to time, to impose upon us? During the war, while we were threatened with immediate destruction from a foreign enemy, we made very unequal exertions, and, compared with

the Southern States, furnished much more than our proportion of men, money, and provisions, for the army. This we were then obliged to do for our own preservation; and shall we now, on the return of peace, couch down under a far more unequal burden, and, by our own act, make it a perpetual one, because it is the lightest the Southern States can be induced to assign us? If we voluntarily submit to this (be it ever so galling), I am sure we shall deserve to bear it.

I humbly conceive some effectual measures ought speedily to be taken for obtaining a Continental valuation on the principles of the eighth article. If this business was properly taken up, and urged in a cogent and spirited manner, I am very apprehensive the Southern gentlemen would be alarmed, and, rather than submit their interests to that scrutiny which the nature of the case will admit of, agree to an apportionment, according to the number of the inhabitants, on equal terms with us. If they will not do this, then let us have a valuation immediately, on the principles of the Confederation as it now stands, provided the alteration is not already confirmed beyond the power of a reconsideration. This I should, on the whole, prefer to an apportionment according to the number of inhabitants, provided our delegates were as thoroughly informed of the wealth and situation of the Southern States as theirs are of ours; but this, I conceive, they never will be from *hearsay*, nor yet from barely riding on the public roads through the country.

Permit me here to propose another case for illustration. Let us suppose the inhabitants of this State to vest so much of their property in slaves as to procure a sufficient number to perform an equal proportion of the labor here with that which is performed by the slaves in the Southern States. This being done, let the free citizens of this State retire from labor and business equally with the free citizens of those States. In what a situation should we very soon find ourselves! Should we be able to support the same appearances of affluence, splendor, and luxury, which are to be seen in the Southern States? or rather would not masters and slaves, in a very short time, be seen starving together in promiscuous heaps? And to what must those different appearances be ascribed, but to the greater fertility, and consequently to the greater relative value, of the soil in one place than in the other?

I have not mentioned the large number of negroes in this State which are a nuisance to us, and for which we are to pay two-fifths

more than the Southern States are to pay for an equal number of their slaves. Nor have I said any thing of the long and tedious winters, against the severities of which we have to provide, both for man and beast, — an inconvenience which the inhabitants of the Southern States have scarcely an idea of. There are many other considerations that I conceive to be pertinent and weighty, as they relate to the present question, which, were I but briefly to touch upon, I must write a volume, rather than a letter. Perhaps you will say I have done this already.

As a citizen of this Commonwealth, I am indeed mortified. I think, when the alteration is once confirmed, the inhabitants of the Southern States will smile, and whisper (at least among themselves) that *Issachar* is — *strong* —.

Yours as above,

J. B.

Mr. ROBBINS (C.) communicated the following letter from Charles Stoddard, Esq., presenting to the Society several letters bearing the autograph signature of Governor Shirley, and other ancient papers of historical interest : —

112, BEACON STREET, BOSTON, March 6, 1862.

DEAR SIR, — I send with this sundry letters by Governor Shirley to my ancestor, Colonel John Stoddard, then in command of the Western frontier, together with sundry other documents of the last century, which have come down to me from my ancestors, and which may be found of public historical interest, and, as such, of some value to the Massachusetts Historical Society.

To that Society, should they deem them of any interest, I propose, through you, to present these papers, that any facts of the past, of interest to the present or future, may be gleaned therefrom.

I am, dear sir, very respectfully yours,

CHARLES STODDARD.

To Rev. CHANDLER ROBBINS, D.D.

Voted, That the thanks of the Society be presented to Mr. Stoddard for his valuable contribution to its archives.

The President nominated Messrs. Saltonstall, Warren, and Livermore, to nominate a list of officers at the annual meeting.

He also nominated, as a Committee on the Treasurer's accounts, Messrs. Lawrence, Tudor, and Forbes.

Mr. SAVAGE communicated the following paper from Joseph Lemuel Chester, of England, author of a recently published biography of John Rogers, the martyr: —

THE ROGERS GENEALOGY AND THE CANDLER MS.

BY JOSEPH LEMUEL CHESTER.

In my Life, &c., of John Rogers, the martyr, recently published by Messrs. Longman and Company, in London, I have discussed at length the assumed connection of the Rogers families of New England with him through his alleged son and grandson, — Richard Rogers of Wethersfield, and John Rogers of Dedham; and shown, I think, conclusively, the entire fallacy of the claims so pertinaciously urged during the last few years. My investigations have been of the most careful and thorough character; and I am satisfied that there is little if any more to be learned on the subject from responsible sources at present accessible. Tracing my own descent distinctly from John Rogers of Dedham, — the name being preserved to my maternal grandmother, — I have felt the disappointment as keenly as any of the thousands of my American countrymen, with whom, in common, I have always heretofore indulged the agreeable delusion; and they may rest assured, that I spared no pains to establish as a fact, what I was finally compelled to pronounce, under an overwhelming weight of evidence, an utterly baseless fiction.

In the progress of that work, I necessarily collected a mass of information respecting various branches and mem-

bers of the great Rogers Family; and have since been pursuing my researches especially in reference to the history of John Rogers of Dedham and his immediate connections. The man himself was worthy of a more extended biography than has ever been written of him; and was also of still greater importance, as being the direct ancestor of most of the American families of his name. In the prosecution of these special researches, I have recently fallen upon a series of remarkable blunders, hitherto received as authentic statements, of a character so serious, considering their origin and the manner in which they have been perpetuated, that I feel justified in resolving upon their public exposure at once, instead of delaying until I may finally use the materials I am now collecting in another manner.

That the strictest accuracy in all genealogical statements cannot be too strongly insisted upon, is a maxim, the importance of which I need not discuss. The variation in a single name or date will often invalidate, or involve in inextricable confusion, an entire pedigree. It is sad, then, and as unaccountable as it is sad, to find now that a series of serious discrepancies in the Rogers pedigrees, as at present recognized, owe their origin to what can only be regarded as sheer carelessness in a man whose very name was, and ought to be, a sufficient guaranty for the correctness of any statement to which it is attached.

In my life of the martyr, I refer only casually to what is known as the "Candler Manuscript," in the British Museum; its contents, so far as the Rogers pedigree is concerned, being necessary for my purpose only as they tended to confirm my position relative to the absence of any connection between the martyr, and Richard and John Rogers of Wethersfield and Dedham. A recent more careful examination of it leads me to concur in the universal opinion of the best antiquarians, that it is a document of extreme value, and that the utmost reliance is to be placed upon its statements. The

known character and habits of Candler alone render him a safe authority ; and another fact is also important : viz., that his volume is not a general collection of indiscriminate pedigrees, but is confined to those families living in his immediate vicinity, and with which he was more or less intimately connected and associated. He was not only the contemporary of those whose history he thus recorded ; but they were always his personal friends, and, not unfrequently, his relatives. He possessed, therefore, every facility for insuring accuracy in his details : and it is remarkable, that, in this portion of his work, he confines himself almost exclusively to his contemporaries and their descendants, — very rarely going back more than a generation or two ; as, for instance, he commences the Rogers pedigree with Richard and John, of Wethersfield and Dedham, — both living in his time, although he survived both many years, — simply giving them a common ancestor in “ Rogers of the North of England.” It may also be said, that, in other instances, pedigrees otherwise legally established are found to agree strictly with those in his volume. His entries are, indeed, often indistinct, and sometimes cannot be readily reconciled ; but a careful study of his system — and it certainly requires a careful study — will enable one generally to arrive at satisfactory conclusions.

Regarding the Candler Manuscript, therefore, as authentic testimony, — and, I repeat, it is so regarded by the best antiquaries in England, — I may now say, that if any additional proofs or arguments were wanted, after those I have adduced in my Life of the martyr, that Richard Rogers of Wethersfield, and John Rogers of Dedham, were *not* descendants of the martyr, the question would be for ever set at rest by the pedigree therein contained : for Candler unmistakably represents them as *brothers* ; and, as boy or man, he knew them both. Now, John Rogers of Dedham died in 1636, at the age of sixty-five ; which would establish his birth at about the year

1571, sixteen years after the martyr's death. If, therefore, this fraternal relation existed, the theory that Richard was a son of the martyr is necessarily exploded. If, on the other hand, Candler is repudiated, I fall back upon the other facts and arguments presented in my volume; and, in addition, defy the production of a solitary tangible proof, of any sort, that John of Dedham, as is alleged, was a grandson of the martyr. It is to be hoped that we shall all acquiesce quietly in the certainty that we have hitherto been laboring under a delusion, — an agreeable one, I admit, but still a delusion, — and be content with tracing our origin to our somewhat less illustrious ancestor; whose memory, however, is still revered, and whose name is still perpetuated as "the famous preacher of Dedham."

To return to the primary object of this communication. I must direct your attention to a paper published in the *Collections of the Massachusetts Historical Society*, vol. x., third series (1849), commencing on page 147, and which was presented to that Society two years previously. It relates chiefly to the genealogy of the early Suffolk emigrants, and is founded almost entirely upon the facts furnished by the *Candler Manuscript*; the value of which is there attested by the distinguished author of the paper, — the late Rev. Joseph Hunter, one of the most eminent of the English antiquarians, and one whose statements are usually, and very properly, received as authoritative. Indeed, the article is professedly a synopsis of that manuscript, so far as it applies to the families to which it refers. Relying upon the well-known character and antecedents of Mr. Hunter, not only as a general antiquarian, but as having passed almost his whole life officially among old English records, both public and private, not a suspicion ever arose that the valuable details he thus furnished might possibly lack the important element of correctness; and the statements thus made were unhesitatingly adopted as the basis of certain family pedigrees now recognized as authen-

tic. As I propose to confine myself, at present, to a single pedigree, — that of the Rogers Family, — I may say, that the author of the elaborate, laborious, and valuable statements concerning that family, published in the "Historical and Genealogical Register," commencing in the number for April, 1851 (vol. v. p. 105), depended entirely upon Mr. Hunter's paper for several of the items in the earlier portion of that pedigree. I have no hesitation in assuming this to be the case; because Mr. Hunter was the first to publish some of them to the world, and because they are to be found nowhere else than in the Candler Manuscript, whence Mr. Hunter confessedly obtained them.

Relying, like every one else, upon the reputation of Mr. Hunter, no suspicion of their possible inaccuracy was, until very recently, entertained by myself. An experience of several years in similar researches, and the frequent detection of similar errors, had led me, however, to the conclusion, never to trust any statements of the sort at second-hand when I could have access to the original authority; and so, in pursuit of every item of information bearing upon the history of John Rogers of Dedham, I sat down to a careful examination of the Candler Manuscript itself. The results I propose now to give you, in order that the necessary corrections may be made in your pedigrees at home. While I have no excuses to make for Mr. Hunter, I shall neither utter any reproaches on account of his numerous inaccuracies. It is, perhaps, due to his memory to suggest the probability, that his eye ran over the pages of the manuscript very hastily, and that he merely gathered the items embraced in the paper referred to, *currente calamo*; while his real object was the accomplishment of some other purpose. It is clearly apparent, that, whenever a difficulty arose respecting an entry, he jumped at a conclusion, instead of studying the matter attentively, and being guided by a previously acquired knowledge of Candler's system. For his palpable mistakes in

names, there can be no excuse whatever; for Candler's writing is quite legible, when compared with the usual chirography of his time. It is to be regretted that the errors were committed, and have been so long perpetuated; but I have great pleasure in now correcting them, and in presenting to the members of the Rogers Family the *real* statements of the Candler Manuscript, — the only reliable authority yet discovered on the genealogical points in question. Referring you to Mr. Hunter's paper itself in the Massachusetts Historical Society's Collections, I will notice them in consecutive order. They will also be readily found in the article in the "Register," already referred to.

Error 1st, p. 163. Speaking of Rev. Ezekiel Rogers, son of Rev. Richard Rogers of Wethersfield, who removed to New England, Mr. Hunter says, "Candler has preserved his wife's name, Sarah, daughter of John Everard, citizen of London." Now, the manuscript unmistakably represents Sarah Everard as the *second wife of Daniel Rogers*, brother of Ezekiel, by whom she had four children: viz., Hannah, who married Roger Cockington; Samuel, lecturer at Cree Church, London; and Mary and Margaret, who both died without issue, — her husband having had a son, Daniel, by his first wife, Margaret Bishop.

Error 2d, p. 164. Speaking of Rev. John Rogers of Dedham, Mr. Hunter says, "Candler informs us that he was thrice married. The family of the first wife is not named; the second was Elizabeth *Gold*, widow of John Hawes; and the third, Dorothy Stanton, widow of Richard Wiseman, of Wigborough in Essex." The manuscript in the Rogers pedigree says, plainly enough, that the name of the second wife was Elizabeth *Gale*. If there was room for any doubt in the chirography in this instance (which there is not), it would be thoroughly removed by an entry on another page (fol. 164), where the marriage of "Elizabeth Hawes, only daughter of John Hawes, by his wife, Elizabeth *Gale*, second

wife of John Rogers," &c., is recorded; where it is impossible to mistake the letters, and to which entry Mr. Hunter also refers.

Error 3d, p. 164. Mr. Hunter says, "Candler speaks only of one son and one daughter (of John Rogers of Dedham). The daughter married John Hudson, Rector of Capel," &c. The entry from which Mr. Hunter quotes is found in the Hudson, and not the Rogers, pedigree (fol. 227, *b.*), and gives the name of the daughter,—Mary. Its omission by Mr. Hunter is equivalent to an error.

Error 4th, p. 164. Mr. Hunter says, "The only son of John Rogers [of Dedham] of whom Candler speaks . . . was Nathaniel Rogers, a son of *Elizabeth Gold*, the second wife." In the manuscript, the usual connecting lines are distinctly drawn to indicate that Nathaniel was the issue of the first wife: but, if this were not sufficient to establish the maternity, Candler carefully adds to his description of the second wife, *Elizabeth Gale*, the words, "*She had no issue*;" while he also describes Dorothy Stanton as "the third wife of John Rogers, *by whom he had no issue*." How Mr. Hunter could have overlooked both the connecting lines and the positive declaration of Candler is utterly unaccountable. This error is highly important; as the descendants of John Rogers of Dedham can no longer claim, as their great ancestress, *Elizabeth Gale*, *alias Gold*, but must seek her in some other lady, yet nameless, who was his first wife.

Error 5th, p. 165. Speaking of the children of Nathaniel Rogers, the New-England pioneer, Mr. Hunter says, "Candler, writing about 1660 [the manuscript gives the exact date,—1656], mentions four sons (John, Nathaniel, Samuel, and Timothy), but gives no more than the names. It seems, also, that there was a daughter married to William Hobert, who may be the William Hubbard who took his freedom, May 2, 1638." Mr. Savage adds the following note: "Margaret, daughter of Nathaniel Rogers, married William Hubbard, the

historian, H.C. 1642." Mr. Hunter derives this information about the daughter, whose name also he omits, from an entry in the Knapp pedigree (fol. 165), which, referring to a daughter of John Knapp and Martha Blossse of Ipswich, reads literally thus: "Judith Knappe, wife to Wm. Hobert. A daughter of hers married Mr. Knight, minister of St. Matthew's Parish in Ipswich. Wm. Hobart married Mary, daught. of Natha. Rogers." But, in the Rogers pedigree, Candler gives the children of Nathaniel Rogers as John, Nathaniel, Samuel, Timothy, and "Mary, married to William *Heley*." This entry, Mr. Hunter entirely overlooks. I shall not stop to discuss the question, whether this is a discrepancy of Candler's; or of what weight is Mr. Hunter's suggestion, that the former entry refers to the historian Hubbard. The names in the manuscript are, respectively, "Hobert" and "Heley," beyond a doubt. The name of Hubbard's wife was, I believe, unquestionably, *Margaret*. It is not unreasonable to suppose that Nathaniel Rogers had two daughters,—Mary and Margaret,—and that the former married Heley. One circumstance would seem to confirm this presumption. Immediately adjoining the entry, in the manuscript concerning this daughter Mary, is another, written at right-angles with it, and which has no direct connection with any other on the page,—though I cannot assert positively that it has any with this,—containing these words, "her second husband was Harsnet Clarke." Whether the latter is a surname, or intended to denote the profession of a Mr. Harsnet, cannot be determined. If this latter entry refers to Mary Rogers, wife of Heley, there must have been, as I presume there was, another daughter, Margaret, who married Hubbard.

Error 6th, pp. 165–6. Mr. Hunter says, "The best information given by Candler is, that the wife of Nathaniel Rogers, and the ancestor of his distinguished American posterity, was Margaret Crane, a daughter of Robert Crane of Coggeshall in Essex, by Mary, his wife, daughter of Samuel

Sparhouse of Dedham; which Robert Crane married a second wife, Margaret, daughter of Robert Maidstone of Broxted Hall in Essex, relict of Walter Clopton. This may seem to bring the wife of Nathaniel Rogers into some distant affinity with John Winthrop, the governor, whose second wife was a Clopton." This paragraph embraces not only an important error, but also an absurdity, so gross, that I cannot forbear directing attention to it. First, the error: The manuscript in the Crane pedigree (fol. 233) very plainly gives the name of the first wife of Robert Crane, the mother of Margaret Crane, wife of Nathaniel Rogers, as "Mary, daughter of Samuell *Sparhawke* of Dedham in Essex." It is impossible to mistake the chirography. We therefore, who now represent that "distinguished American posterity" of Mr. Hunter's, must be content to be transformed from *Sparhouses* into *Sparhawks*, in spite of his persistence in the former orthography, which he introduces a second time on page 166. The absurdity alluded to is briefly this: Nathaniel Rogers's wife's *stepmother* was the *widow of a Clopton*; and John Winthrop *married a Clopton*. I leave the exact degree of "distant affinity" existing between Mrs. Rogers and the governor to be determined by some more mathematical genealogist than I can claim to be.

Error 7th, p. 166. Mr. Hunter says, "*Half-sister* to Nathaniel Rogers was Elizabeth Hawes; the only issue, of whom Candler speaks, of the marriage of John Hawes and Elizabeth Gold." This error is, of course, rectified in the remarks connected with Error 2d. Her mother's name was *Gale* (not Gold); and she was not Nathaniel Rogers's half-sister, as she was not the daughter of either his father or his mother.

The importance of this exposition of the foregoing errors will readily be seen from the corrections necessary to be made in the present received pedigrees of the Rogers Family. It is true, that the paternal line of descent is little, if at all, affected; but it is certainly of some interest, if we cannot

ascertain who our great-grandmothers really were, to be able to determine who they were not.

It will be, perhaps, more satisfactory if I now give you what is clearly the correct reading of the Candler Manuscript, so far as this particular family is concerned. The version by Mr. Somerby, in vol. iv. of the "Genealogical Register," p. 179, is incomplete and indistinct, owing to the impossibility of arranging and connecting, by the ordinary rules and spaces, the various entries as they appear in the manuscript. It also omits some important entries, and is otherwise defective. Nothing but a fac-simile, or photographic copy, could give you a correct idea of this particular page. The manuscript is Harleian, No. 6071; and the Rogers pedigree is to be found on fol. 238, b., with two entries on fol. 239. It commences with—

"Rogers of —, in the North of England," who had two sons, — Richard and John.

John, "the famous preacher of Dedham," whose family is first mentioned, although certainly the youngest, had three wives. The first is not named; the second was "Elizabeth Gale, the relict of John Hawes;" and the third was "Dorothie, daughter of — Stanton, the relict of Rich. Wiseman of Wigborough in Essex, gent." By his second and third wives he had no issue; and the only child by his first wife, here named, was Nathaniel, "who married Margaret, daughter of Robert Crane of Coksall in Essex;" and of whom it is further said, "he died in New England. He left issue, John, Nath^l, Samuel, Timothy, [and] Mary (married to W^m Heley)."

Then follows Richard Rogers, the brother of John, who is described as "Lecturer at Wethersfield, who wrote the 7 treatise, & sundry other Bookes of great vse: a man of great woorth, & very faithful in his ministry." He had two wives. The name of the first is not given; but the second is thus described: "Susan, daughter of —, was, first,

the wife of John Ward [preacher at Haverhill in Suffolk]; &, after his death, was y^e 2^d wife to Richard Rogers, by whome she had no Issue." His children by his first wife are thus mentioned: 1st, "Daniell Rogers, who succeeded his father in y^e place of Lecturie at Wethersfield; an eminent schollar & preacher, who hath many workes in print: he, being one of the eminent fellowes in Christs Colledge in Cambridge, was the Aduancer of Dr. Amies, whome he brought in to bee fellow there." 2d, "Ezra, s.p." 3d, "Nath^l, s.p." 4th, "Ezekiel, an eminent preacher, yet liueing; but all his issue dead before this yeare, 1656."

Daniel Rogers, the eldest son, married, first, "Margaret Bishop," by whom he had a son Daniel. His second wife was "Sarah, daughter of John Euerard, a citizen in London;" by whom he had issue, thus described: "Hannah, wife to Roger Cockington; by whome she had two children,—Roger and Samuell. She hath had, since his death, two or three husbands."—"Samuel Rogers, Lecturer at Cree Church in London."—"Mary and Margaret, s.p."

Daniel Rogers, son of Daniel Rogers and Margaret Bishop, is thus described: "Rector of Wotton in Northamptonshire. He married Dorothe Ball, daughter of the then Maior of Northampton. His second wife was —, daughter of — Reading, Counsellor at Law." Candler gives the names of eight of his children, and seems to intimate that five of them were by his first wife; but it is impossible to determine how they should be distributed. They are mentioned as follows: 1st, "Daniel, s.p." 2d, "Dorothe." 3d, "Sarah; married to John Bedell, a citizen of London: she died of her second child; and all her issue is dead." 4th, "Richard, Rector of Clopton in Suff.," who married "Elizabeth, daughter of Charles Humphry, gent., the relict of Matthew Brownerig, Rector of Clopton in Suff.;" and had issue,— "Humphry;" "Elizabeth;" "Culverwell, s.p.;" and "Sarah." 5th, "Joseph, s.p." 6th, "Nath^l." 7th, "Abigail." And 8th, "Ezekiell,

of Shalford in Essex: he married daughter of S^r Rob^t Johnson, the relict of —."

The foregoing is a complete synopsis of the body of the Rogers pedigree, as given by Candler. There are, besides, six distinct entries, closely huddled together, three written horizontally and three perpendicularly on the page, and neither of them having any direct connection with the principal entries or with each other. I give them literally and numerically:—

1. "Her 2^d Husband was Harsnet Clarke."
2. "William Jenkin, of Christs Church in London."
3. "Mary, ma. to Daniel Sutton."
4. "Elizabeth, m. to Tho. Cawton."
5. "John; Ezekiel; Anne, to Clarke, a minister."
6. "Abigaile."

The second, third, and fourth of these entries can be disposed of at once. It is well known that Rev. William Jenkyn, then of Sudbury in Suffolk, married a daughter of Richard Rogers of Wethersfield, and had a son of the same name, who was subsequently ejected from Christ's Church in London; and also that one of his daughters (Elizabeth) married Rev. Thomas Cawton, another eminent Puritan minister: while Candler, in another part of his manuscript (fol. 163), says that "Daniell Sutton" (son of Thomas Sutton of Leek in Staffordshire, and Margaret, daughter of Hugh Holinshed of Heyward in Cheshire, gent.), married, as his second wife, "Mary, d. of W Jenkin of Sudbury, Clarke, and of —, d. of Richard Rogers, Cl.;" and had issue,—1st, "Daniel" (who probably died young); 2d, "William, s.p.;" 3d, "Daniell;" 4th, "Mary;" and 5th, "John."

The mystery attached to the fifth and sixth of these entries, I think, I am also able to clear up. I have in my possession a contemporary copy of the will of Rev. William Jenkyn the younger (of Christ's Church), dated in 1682, in

which he leaves legacies to his "*sisters, Anne Clark and Abigail Taylor;*" and it is thus rendered almost certain, that the persons named in these two entries were also the children of William Jenkyn of Sudbury, and consequently grandchildren of Richard Rogers of Wethersfield.

This leaves only the first of these entries to be disposed of. I have before suggested that it might refer to Mary, the daughter of Nathaniel Rogers, who married William Heley; but it may, on the contrary, be intended to indicate Elizabeth Jenkyn, the wife of Thomas Cawton. It is certain that she survived her husband, and that there were preachers, about that time, of the name of Harsnet. From the position of this entry on the page, it might refer to either; but as the other five of the group all relate, unquestionably, to the Jenkyn Family, I think the presumption is strong, that the Widow Cawton subsequently married Rev. Mr. Harsnet, and that Candler so intended to intimate.

You have now a clear and accurate version of the Rogers pedigree, as it appears in the Candler Manuscript. It may be interesting to possess an account of the ancestry of Margaret Crane, the wife of Rev. Nathaniel Rogers of New England; and with that, and the other occasional entries already quoted, you have every thing that Candler says in reference to this family. The Crane descent (fol. 233) is summarily as follows (I quote *literatim*):—

1. "Robert Craine, of Clifton, Esq., = Bridget, daughter of S^r Thomas Jernin, of Rushbrake, Knt., [and] Sister of S^r Ambrose."
2. "Henry Crane, Esq."
3. "Henry Craine, Esq., = — Jernegham: she had been wife to S^r Wymond Cariey, Knt."
4. "S^r Robert Craine of Chilton, Knt. and Baronet, = Susan, daughter of S^r Giles Alington, Knt."
5. "Robert Crane of Coxhall in Essex = Mary, daughter of Samuell Sparhawke, of Dedham in Essex."
6. "Margaret, married to Nathaniel Rogers, Rector of Assington; whence he went into New England."

It is, perhaps, proper that I should add, that, on a cursory examination of the rest of Mr. Hunter's article, I do not notice so many or such serious discrepancies in reference to the other families he mentions; but it is certainly extraordinary that he should have concentrated such a series of blunders into his brief synopsis of this single pedigree, and still more extraordinary that the errors should not have been detected until this late day.

It is also right to state, that the Rogers pedigree, as given by Candler, is certainly defective and incomplete, and only to be relied upon so far as it extends. In this communication, I have confined myself to a discussion of his manuscript; but hope, at some no distant day, to be able to furnish you with the complete and satisfactory results of the thorough and minute researches into the genealogy and history of this particular family, in which I have been for a long time engaged. Besides the mass of information I have already collected, I am becoming, since the publication of my *Memoir of the Martyr*, the depositary of the records and traditions preserved in numerous families in England, either bearing his name, or claiming descent from him; and design, eventually, to produce another volume, of a purely genealogical and anecdotal character, which, I have reason to believe, will prove acceptable on both sides of the Atlantic.

LONDON, Feb. 15, 1862.

Dr. LOTHROP communicated a *Memoir* of our late associate, Nathaniel I. Bowditch, which he had prepared in compliance with a vote of the Society.

M E M O I R

OF

NATHANIEL INGERSOLL BOWDITCH, ESQ.

BY REV. S. K. LOTHROP, D.D.

NATHANIEL INGERSOLL BOWDITCH was born at Salem, Mass., on the 17th of June, 1805. The first American ancestor of his family was William Bowditch, who emigrated from England, probably from the city of Exeter or its immediate vicinity, and settled in Salem, in 1639. He left an only child, William; who died in 1681, leaving also an only child, named William. This third William had a numerous family (eleven children); but only one of his sons, Ebenezer, left any male descendants. The fifth child of Ebenezer, Habakkuk, born in 1738, had seven children; of whom the fourth was the late Nathaniel Bowditch, LL.D.,—a man whose extraordinary genius and large contributions to nautical and astronomical science have procured him an endearing and world-wide fame, and caused his name to be known and his authority to be trusted wherever a ship spreads its sails upon the ocean; while the noble qualities of his heart, the perfect truthfulness of his character, the integrity, purity, simplicity, and benevolent usefulness of his life, secured him the respect and confidence of all who knew him, and the warmest affections and the most profound reverence of those who shared the honor of his intimate personal friendship.

This justly celebrated and honored person (Nathaniel Bowditch, LL.D.) died in March, 1838, leaving six children; the



Portrait of John Lubbock, Esq. by J. H. Sturt.

eldest of whom was Nathaniel Ingersoll, the subject of this memoir. His mother was Mary Ingersoll, daughter of Jonathan Ingersoll, Esq. She was married to his father, who was her cousin, in October, 1800. Mrs. Mary Bowditch was a remarkable person: one of those women whose characters are so perfectly moulded and rounded out, without deficiency or redundance in any of the parts; in whom the higher elements of intellectual and moral thought are so blended with tenderness, compassion, sympathy, all soft, gentle, and graceful qualities,—that we find it difficult to tell whether love or reverence is the strongest emotion we feel towards them. Exceedingly attractive in person, winning and gracious in manners, cheerful in disposition, with a vigorous mind enriched by culture, and a warm and loving heart, full of all gentle and generous affections; her whole being impregnated, elevated, guided by religious faith and principle,—she was the moral sunlight of her dwelling; made her home a type and miniature of heaven, the scene of the highest happiness, the source of the holiest influences, to its inmates. Perhaps no woman ever had a nobler monument than that reared to her by her husband, who dedicates his great work, the “Translation and Commentary on the ‘*Mécanique Céleste*’ of La Place,” “To the memory of his wife, Mary Bowditch, who devoted herself to her domestic avocations with great judgment, unceasing kindness, and a zeal which could not be surpassed; taking upon herself the whole care of her family, and thus procuring for him the leisure hours to prepare the work, and securing to him, by her prudent management, the means for its publication in its present form, which she fully approved: and, without her approbation, the work would not have been undertaken.”

Family tradition has not transmitted any very striking incidents or indications in the childhood and school-days of our subject; but with such parents, and under the influences that pervaded his home, we are not surprised to find that he

was ready for college, so far as the acquisition of knowledge was requisite, at a very early age; and actually entered the University at Cambridge in August, 1818, a few weeks after he was thirteen years old. He was the youngest in his class: too young, probably, for the full benefit to be derived from the course of studies then pursued at Cambridge; and certainly too young to be exposed to perilous snares and temptations incident to the liberty which, to a certain extent, necessarily appertains to college-life. No stain of vice or moral wrong rests upon his pure spirit; but, led away by older students, he yielded to the temptations of college-life so far as to be guilty of some boyish follies, and such thoughtless waste of time and opportunity, that, toward the close of the freshman-year, his father, at the suggestion of the faculty, removed him from college for some months. In some brief but amusing memoranda of a speech he expected to be called upon to make at the alumni dinner in 1854, but at which he "happily escaped any molestation," there is an allusion to this:—

"I was," he says, "the youngest and smallest of my class, and was everywhere known as Little Bowditch. I was entirely verdant and unsophisticated, and almost immediately began to pick up college accomplishments, which occupied more of my time and attention than was consistent with a due regard to other studies, and which finally led to my having permission to visit my friends for a few months before I had finished my freshman-year. On my return, my old associations had been broken up; and I have always felt grateful to our Alma Mater for the discipline to which I was thus seasonably and happily subjected."

Undoubtedly this discipline, through the mortification and sorrow it caused him, aided by parental counsels and affection, and the sympathy and influence of a valued friend, Henry Pinckney, Esq., became a signal benefit and blessing to him. He returned to college, no longer a boy, but a man, with a just appreciation of the purpose of college and

the duties of life. He fully redeemed his character; passed the remainder of his college-life, not only with an unblemished, but with a distinguished, reputation for conduct and scholarship; and graduated, in 1822, with a high rank in his class. He had already decided upon his profession; and, immediately after graduating, he entered upon the study of law in the office of B. R. Nichols, Esq., then residing in Salem. In 1823, Dr. Bowditch, after repeated solicitations, accepted the office, for which he had rare and unsurpassed qualifications, of Actuary of the Massachusetts-Hospital Life-Insurance Company, and removed to Boston to discharge its duties. On the removal of the family to Boston, Nathaniel Ingersoll entered the office of that very distinguished counsellor, Hon. William Prescott; who had associated with him, at the time, his son-in-law, the late Franklin Dexter, Esq. Here Mr. Bowditch continued and completed his studies; and was admitted to the bar in October, 1825.

Immediately on his admission, Mr. Dexter received him as a partner in business. But this connection did not last long; as Mr. Bowditch soon began to manifest those tastes, and form those habits of study and investigation, which led to the adoption of the *speciality* (viz., conveying) in which he became subsequently so distinguished an authority, that scarcely a transfer of real estate was made in the city of Boston, without the title passing under his examination and approval. He seems to have been originally led into this department of his profession by his interest in genealogy, especially the genealogy of the Bowditch Family. His first studies in the musty volumes in the Register-of-Deeds Office were for the purpose of tracing or confirming genealogical descent. He wanted to find or establish some name; and he looked into old deeds to ascertain it. From the names attached, he passed naturally to the contents of the deed, its description of the property conveyed, its recital of boundaries, &c.; and thus what at

first was secondary began to be of primary interest to him, and he devoted himself to investigations in the Register-of-Deeds Office. At first, his father, who wished him to "practise law" and to become eminent as an advocate in the courts, was much annoyed at what seemed to him such a waste of time among old deeds; but the young man followed his instincts, and followed them to a great success. Early in his career, he argued two or three causes with great ability, and to the great acceptance of his clients; but he soon retired from the courts altogether as an advocate, and devoted himself exclusively to conveyancing, and to such studies and investigations as appertained to it. By the most thorough and laborious diligence, he made himself master of the history and titles of all the real estate in Boston; and a letter from Lord Lyndhurst, among his papers, shows that he had a reputation, and was regarded as an authority upon this subject, far beyond the limits of Massachusetts. The speciality to which Mr. Bowditch devoted himself is not, as some suppose, in a great measure mechanical and clerical, requiring only an accurate knowledge and a careful collation of recited facts. It requires a mind competent to classify and arrange these facts, understand their origin, and their relation to obsolete or existing statutes. It embraces and demands not only a thorough knowledge of these statutes, but a perfect comprehension of all the subtle and profound principles upon which all the laws in relation to real property, the creation of estates equitable or legal, and the determination of the powers and limitations under which conveyance or transfer may be made, are founded. The correspondence to which allusion has been made, the questions propounded by Lord Lyndhurst, and the answers made by Mr. Bowditch, afford clear indication that the latter fully comprehended these principles, their various sources and applications. In this correspondence, the then Lord Chancellor of England says, "The name and character of Mr. Bowditch has long been familiar to me; and the full

and accurate information upon the subject to which I referred has left me nothing to desire." A higher or more honorable testimony to Mr. Bowditch's reputation in that department of his profession to which he specially devoted himself, need not, as it could not, be adduced.

But though he thus devoted himself with singular assiduity to a specific department of his profession, and obtained in that speciality an honorable reputation at home and abroad, he was "well read in the law" generally, understood its great principles as they are embodied in particular statutes, and made applicable in the various questions arising in the business and intercourse of society; and though never appearing before the courts as an advocate, yet, in other ways, he often made good use and valuable exposition of his legal learning and acumen. In proof of this, reference might be made to various articles upon legal matters published from time to time in the newspapers; to his remarks before the Judiciary Committee of the Senate of Massachusetts, on "Wharf Property, or the Law of Flats;" and to his argument, made "merely as a citizen of Boston, anxious that its public faith and good name should be preserved inviolate," before the Joint Committee of the City Councils on Public Lands, in behalf of "a Catholic Church on the Jail Lands."

And here we pass naturally from the lawyer to the citizen and the man. It is in the high principles, the noble aims, the generous sympathies, the wise and benevolent usefulness, he exhibited in these broader relations, that we are to look for the chief interest that attaches to the character of Mr. Bowditch, and the honor and esteem in which his memory is held. He was public-spirited; recognizing all the claims of society upon its members; and always interested in whatever promised to promote the comfort, the happiness, the intellectual and moral improvement, of others. He was a close observer of passing events, and by his pen, through the daily press, frequently expressed his opinions upon them; and in articles

longer or shorter, often as full of wit as of wisdom, of humor as of sound judgment, brought his influence to bear on the various subjects, efforts, and enterprises that were attracting the attention of the public mind at the time. Upon principle, and from the impulses of quick and generous sympathies, Mr. Bowditch was charitable, a liberal giver from his private purse, and a faithful worker in the wise and efficient direction of public charitable or philanthropic institutions. For thirty-four years (from 1827 to 1861), he was connected with the Massachusetts General Hospital; nine years as secretary, fourteen years as trustee and chairman of the Board, and eleven years as vice-president. He did not simply discharge the routine duties of these offices. He was deeply interested in the institution itself, and an active agent in all measures to enlarge its means and increase its usefulness. In 1851, there was printed, for private distribution, a volume of four hundred and forty-two pages,—"A History of the Massachusetts General Hospital." The volume contains a full, minute, and accurate account of this noble institution, from its first inception in 1810 to its condition in 1851; and is a most valuable contribution to the local history of our city and state. It was prepared by Mr. Bowditch, and published at his own expense. This is modestly intimated by the closing paragraph of the preface, in which he says, "It is due to the institution to say, that this is not, in any sense, an official publication, but merely a private and humble contribution in its behalf, a slight and inadequate expression of the interest felt in its welfare, by one who has ever regarded as among his happiest hours those which he has been privileged to spend in its service."

As the Massachusetts General Hospital, through its distinguished surgeons, Dr. J. C. Warren and Dr. George Hayward, made the first public experiments in the use of sulphuric ether as an anæsthetic agent in surgical operations, the whole subject of the "Ether Discovery" is very fully treated in

this volume. One hundred and thirty pages are devoted to it. It will be remembered that this discovery, and the question whether Dr. W. T. G. Morton or Dr. C. T. Jackson had the best claim to be regarded as the author of the discovery, was the subject of an earnest discussion. Mr. Bowditch gives a list of all the publications on the subject, from 1846 to 1849, with a critical review of the most important of them; and presents the fairest, the most comprehensive, and the best account of the controversy, and of the question at issue, that can be found.

Here also, in his connection with the Hospital, Mr. Bowditch found ample opportunities for the exercise of his private charities; and, as various notes and letters found among his papers indicate, many of the patients at that institution had reason to be grateful, not only for its direct benefits, but for the circumstance, that, through confinement there, they found in him a friend and benefactor, who, by his judicious counsels, personal sympathy, and pecuniary aid, did much to lighten to them the weary burden of sickness and poverty.

On all political questions which came up in the progress of public affairs, Mr. Bowditch had, as in all other matters, very decided opinions, and, when necessary, gave utterance to them in conversation as a man, and expression to them by his vote as a citizen; but he took no active part in politics, and never held any civil office. In the large and generous culture of his mind; in the studies and duties of his profession, more particularly in the speciality to which he devoted himself; in the discharge of his duties as a trustee of the Hospital, the favorite sphere of his activity; and in the quiet exercise of a large and unostentatious charity, commonly bestowing its gifts in the Christian spirit, that permits not the left hand to know what the right hand doeth,—he passed on from the opening to the full meridian of manhood, when, just as his life and character seemed rounded out to perfect matu-

ity, giving promise of increasing usefulness for many years, an accident happened, which deprived him of the power of locomotion, confining him first to his chamber, and then to his bed; from which, after more than two years of suffering patiently borne, he was carried to his grave.

But though thus deprived of bodily activity, and denied daily intercourse with the world at large, his mind was still active, his heart warm, and his interest in all that affected the good of others continued unabated. This interest was manifested in various ways,—in numberless good deeds to the friends who visited him, in kind remembrances to many who did not see him, and in *one act*, the noblest and most important in his life; viz., the establishment, in the autumn of 1860, of sixteen scholarships at Harvard College, four for each class, with an annual income of two hundred and fifty dollars for each scholarship. The sum requisite for this noble foundation was seventy thousand dollars. In 1835, Mr. Bowditch married Elizabeth B., the second daughter of the late Ebenezer Francis, Esq. His professional income, both before and after his marriage, was not small; and a goodly portion of it was always devoted to charities. But, of course, it was from the property that came to his wife from her father's estate that he was enabled to make this magnificent contribution to the interests of education and learning. In the credit and honor, therefore, of this good deed, Mrs. Bowditch is entitled to share equally with him. If the first suggestion, the purpose, the earnest wish, originated with him, her consent and approval were necessary to the execution of that purpose, the accomplishment of that wish; and their joint action necessary to the result reached, while it is a testimony to the genuine interest which each felt in the College and the increase of its beneficent instrumentalities, is also a most beautiful testimony to their harmony of soul, to the mutual confidence and affection, which made their union holy and happy.

The importance of these scholarships, which are modestly described in the Catalogue of the University as "founded by a friend of the College, and called the 'President's Scholarships,'" may be estimated by the following extracts from President Felton's letters, in the correspondence which was held on the subject:—

"I am impressed," he writes under date of Aug. 13, 1860, "by the generous purpose, entertained by Mrs. Bowditch and yourself, in behalf of young men struggling with poverty in the effort to obtain an education. On this subject, I can speak from a most instructive experience; and I know, that, whatever may be the advantages of poverty in developing some of the sterner qualities of character, there is a limit beyond which the advantages are more than counterbalanced by the evils. The anxieties under which a young man suffers, who knows not, from quarter to quarter, how his bills are to be paid, are among the worst enemies of study. The mind should be calm, free from serious cares at least, or Latin, Greek, and mathematics will inevitably suffer. I have, therefore, no doubt that one of the most useful modes of employing wealth is in furnishing aid to young men of character and talent, who will render services to their country and mankind."

In another letter, under date of Oct. 8, 1860, President Felton says,—

"The new scholarships excite great interest throughout New England. I receive letters of inquiry almost daily. In truth, it is not only a most munificent act, but one which will for ever continue to bless the community. Your foundation will educate sixteen young men as long as the College shall stand. In a century, four hundred men of character and ability will have been added to the liberally educated workers in the community by this timely and generous gift. I am deeply gratified that such an addition has been made to the means of doing good possessed by the University, at the beginning of my presidency. I hail it as a favorable omen."

Possessing the ability, it must have been a glorious relief to the tedium of sickness, to perform such a noble act as the foundation of these scholarships; while the act itself is an

unequivocal evidence and illustration of character, of the wisdom that conceived and the benevolence that executed it.

In 1857, Mr. Bowditch, led thereto by his long studies and researches in the Registry of Deeds, had printed, for private distribution, a few copies of a collection of curious surnames. This volume was entitled "Suffolk Surnames." In 1858, the volume having awakened an interest beyond the circle of his personal friends, he printed another edition, with additional names, and a dedication "To the memory of A. Shurt, the father of American conveyancing, whose name is associated alike with my daily toilet and my daily occupation." In February, 1861, a few weeks before his decease, he completed the publication of a third edition of "Suffolk Surnames," a volume of seven hundred and fifty-nine pages, — seven times the size of that printed in 1859. The preface to this volume closes with a reference to himself, the facts, the humor, and the pathos of which seem to make it an appropriate close to this notice of him: —

"I will conclude with a few words of 'personal explanation.' I was born in 1805. Of a vigorous frame and active habits, I enjoyed, for fifty years, almost uninterrupted health. During the summer months, I seldom omitted a daily swim in Charles River; and the coldest weather of winter rarely induced me to resort to an outside garment. In 1835, on a bridal tour, I visited Niagara, and swam across that river, below the Falls, on two successive days; and once, when the thermometer was below zero, the gentlemen who had gathered round the fire in an insurance-office in Boston, proposed, as I entered the room, to subscribe to buy me an overcoat, because, they said, it made them cold to look at me. At fifty, however, I ceased to be a young man; and my dress was no longer such as to exert a chilling influence upon my friends. In February, 1859, I slipped upon the ice, but did not fall; and I supposed that I had escaped with only a slight sprain, and the laugh of the bystanders. I had, however, injured the head of the thigh-bone; and the result was a gradually increasing lameness. In June, I removed to my summer residence in Brookline. Here, in an apartment curtained by forest-trees, I sat, day after day, week after week, a prisoner;

my sole occupation being the collection and arrangement of the materials for the present edition, and the laborious preparation of the index. On Aug. 2, a visit was made by my attending surgeons. I arose to receive them; and, in the effort to open the drawer of a small writing-table which was partly behind me, I pulled it out so that it fell upon the floor. From this slight cause, a severe fracture of the thigh occurred while I was standing up. I have been thenceforth condemned to a state of horizontal meditation, which must last as long as I live. Twice already I have seen the foliage of summer give place to the snows of winter. My misfortune has received every alleviation which science could suggest, or the kindness of family and friends bestow; but my bodily pain and weariness soon made some fixed employment almost indispensable. I accordingly commenced the printing of this work in the autumn of 1859; and it has enabled me to attain a state of cheerful discomfort. . . . If my volume shall sometimes dispel the cloud of care or thought from the brow of manhood, or call forth a smile upon the face of youth and beauty, I may perhaps hope, if not for the sympathy, at least for the indulgence, of my readers."

It is hardly necessary to add, that Mr. Bowditch's cheerfulness was the product of religious faith. As he met the duties of life with a strong conviction of responsibility to God, so he met its trials and sufferings with a deep feeling of trust and submission to him. In a letter to a near relative, on the 1st of January, 1860, he says,—

"The arrival of a new year is always a matter of interest. These milestones of life are always looked at for a moment by the busiest and happiest traveller; and no one, situated as I am and must expect to be, can fail to be impressed with a conviction, that a much longer journey is hardly to be expected or desired. To be a burden to others (however cheerfully and kindly the burden may be borne) is not an agreeable prospect; and I cannot but fear that I am to have much and increasing pain to go through with in the coming months. However, no one stops by the way. Every thing proceeds as orderly; and I shall endeavor to reconcile myself to my changed prospects."

Bearing with great sweetness and patience "the increasing pain" which came with "the coming months," he was

mercifully relieved on the 16th of April, 1861, to enter upon "that world beyond," of which he speaks in the following lines, "Suggested by a Recent Discourse of the Rev. Dr. Putnam:"—

"Science long watched the realms of space,
A planet's devious path to trace:
Convinced of heaven's harmonious law,
'A world beyond' Leverrier saw.

Thus when he views earth's sins and woes,
With a like faith the Christian knows
There is 'a world beyond' to prove
God's perfect wisdom, power, and love."

